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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91249427
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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

EVOLUTIONARY GUIDANCE MEDIA R&D INC.,)	Opposition No. 91249427
)	
Opposer,)	Serial No. 88219305
v.)	
)	Mark: THE CYBERHERO
CYBERMAN SECURITY, LLC AKA THE CYBERHERO ADVENTURES; DEFENDERS OF THE DIGITAL UNIVERSE)	ADVENTURES; DEFENDERS OF THE DIGITAL UNIVERSE
)	
Applicant)	Published: May 14, 2019
)	
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CYBERMAN SECURITY, LLC AKA THE CYBERHERO ADVENTURES; DEFENDERS OF THE DIGITAL UNIVERSE)	Opposition No.: 91253845
)	
)	Serial No. 88293133
)	
Opposer)	Mark: CYBERHERO
)	
v.)	Published December 3, 2019
)	
EVOLUTIONARY GUIDANCE MEDIA R&D INC.,)	
)	
Applicant)	

**APPLICANT CYBERMAN SECURITY, LLC'S (OPPOSITION NO 91249427) AND
OPPOSER CYBERMAN SECURITY, LLC'S (OPPOSITION NO. 91253845)**

COMBINED TRIAL BRIEF

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I. INTRODUCTION

This is a consolidated proceeding of Oppositions No. 901253845 (the “’845 Opposition”) and No. 91249427 (the “’427 Opposition”).

Opposer in the ‘427 Opposition and Applicant in the ‘845 Opposition Cyberman Security, LLC, aka THE CYBERHERO ADVENTURES: DEFENDERS OF THE DIGITAL UNIVERSE (hereinafter “Cyberman”), through its undersigned counsel, submits this Combined Trial Brief in response to the Trial Brief of Applicant in the ‘427 Opposition and Opposer in the ‘845 Opposition Evolutionary Guidance Media R&D Inc. (hereinafter “EGM”). Cyberman applied for registration of the trademark THE CYBERHERO ADVENTURES: DEFENDERS OF THE DIGITAL UNIVERSE, U.S. Serial No. 88,219,305, (hereinafter the “Cyberman Mark” or “CYBERHERO ADVENTURES”).

EGM claims in its Trial Brief that, “[s]ince 2011, EGM has expended extensive resources on advertising, marketing and promoting its goods and services under its CYBERHERO LEAGUE and CYBERHERO marks,” and that “[c]onsumers are very likely to confuse Applicant’s goods and services with EGM’s based on EGM’s longstanding use of its CYBERHERO LEAGUE and CYBERHERO marks. Further, any use by Applicant of the applied-for CYBERHERO ADVENTURES DEFENDERS OF THE DIGITAL UNIVERSE mark will dilute the strength, distinctiveness, and goodwill that EGM has amassed over the last 10 years” See EGM’s Trial Brief, at 3—4. None of these claims have merit.

For one, EGM's claim that it has developed significant goodwill in its marks CYBERHERO and CYBERHERO LEAGUE is baseless since EGM has not shown sufficient proof of community support of its marks or has in any other way quantified EGM's goodwill.

By contrast, and unlike EGM suggests, the Cyberman Mark ever since its first use in commerce in May 2018, has developed into a well-renowned cybersecurity educational tool invented by Gary Berman who has made it his life mission to inform the public on cyber and media security. As part of this mission, Mr. Berman has also created a television show in which he has interviewed numerous high-profile personalities and experts in the field. (App. 004; 037-038).¹ Mr. Berman has also created a network of over 20,000 followers on LinkedIn and participated in over fifty cybersecurity conferences – all under the Cyberman Mark. (App. 004; 009; 042; 052). Through these efforts, the goods and services of the Cyberman Mark have become synonymous with cybersecurity awareness and social responsibility in cyberspace. To reduce the Cyberman Mark to a use on comic books for entertainment comparable to children's computer games is a misrepresentation of the facts.

Moreover, EGM also falsely states in its Trial Brief that Cyberman has not submitted any evidence, even though Cyberman from its first filing in the '845 Opposition onward has submitted ample evidence, inter alia, on the genericness of the term "CYBERHERO" (or respectively "CYBER HERO"). *See infra*, III.

¹ Cyberman is submitting an Appendix with this Brief. References to the Appendix are denoted as "App. y-z," whereas "App." references the Appendix, and "y-z" references the page number(s).

Most importantly, EGM’s claim that there is a likelihood of confusion is without merit since EGM’s mark CYBERHERO LEAGUE and Cyberman’s CYBERHERO ADVENTURES are substantially different.

II. STATEMENT OF ISSUES

1. Is there a likelihood of confusion between Cyberman’s mark CYBERHERO ADVENTURES, U.S. Serial No. 88,219,305, and EGM’s mark CYBERHERO LEAGUE, U.S. Registration No. 4,197,051?

2. Is there a likelihood of confusion between the Cyberman Mark and EGM’s mark CYBERHERO, U.S. Serial No. 88,293,133?

3. Is EGM’s applied-for-mark CYBERHERO generic?

III. THE DESCRIPTION OF RECORD

Unlike EGM asserts in its Trial Brief, Cyberman submitted ample evidence in the ‘427 and the ‘845 Opposition:

Form of Evidence	Description of Evidence
Cyberman’s Answer to EGM’s Opposition No. ‘427 – See 4 T.T.A.B.VUE, Exhibits 1—17; also incorporated as Exhibit B to Cyberman’s Opposition No. ‘845 – See 1 T.T.A.B.VUE.	Documentary evidence of third-party uses of the term “cyberhero” showing genericness of the term.
Cyberman’s Opposition No. ‘845, Exhibit C – See 1 T.T.A.B.VUE.	WIKIPEDIA List of generic and genericized trademarks.
Cyberman’s Pretrial Disclosures to EGM, Exhibits A—E, served on EGM on May 7, 2021.	<p><u>Exhibit A</u>: Documentary evidence related to the prosecution of the trademark registration for the Cyberman Mark.</p> <p><u>Exhibit B</u>: Documentation related to the prosecution of the trademark application of the Cyberman Mark.</p> <p><u>Exhibit C</u>: Documentation concerning registrations covering both the goods and services for the Cyberman Mark.</p>

	<p><u>Exhibit D</u>: Documentation from Cyberman’s website and its trademark in use.</p> <p><u>Exhibit E</u>: Documentation of third-party use of the terms “CYBERHERO” or “CYBER HERO” showing genericness.</p>
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IV. FACTUAL BACKGROUND

a. The ‘427 Opposition

The ‘427 Opposition was filed by EGM against Cyberman’s application of its mark CYBERHERO ADVENTURES. The ‘427 Opposition is based on EGM’s mark CYBERHERO LEAGUE, U.S. Reg. No. 4,197,051, for “Interactive educational and entertainment services, namely, providing a web-based virtual educational theme-park featuring individuals, companies, and organizations engaged in charitable activities, which actively use the Internet to help other people, animals, or the environment” and “Providing a social networking website at which a user can give charitable gifts to others.” First use in commerce of CYBERHERO LEAGUE was on February 1, 2011.

EGM claims that there is a likelihood of confusion between CYBERHERO LEAGUE and CYBERHERO ADVENTURES and that a registration of the Cyberman Mark should thus not be granted.

Cyberman filed its application of CYBERHERO ADVENTURES for “comic books” on December 10, 2018, and the application was published for opposition on May 14, 2019. Cyberman started using its Cyberman Mark in commerce on May 4, 2018. The comic books feature “real life cyber heroes” by telling the stories of people who were affected by cyber criminality. Their mission is to educate others on matters such as cybersecurity

and awareness as well as to empower people to pivot from victims of cybercrimes to advocates of cybersecurity.

Cyberman also owns the domain www.cyberherocomics.com which talks about Cyberman's mission and comics. (App. 037-047); *see also* Cyberman's Pretrial Disclosures to EGM, Exhibit D. The website also features Cyberman's own show, the "Cyberhero Adventures Show," created by Gary Berman, the founder of Cyberman. Since the first episode in 2019, there already have been over 100 episodes, each and every one featuring thought leaders throughout the cybersecurity and IT communities. (App. 052). Former guests include, among others, Sam Visner, Tech Fellow at MITRE and former advisor to the National Security Agency; Dr. Chase Cunningham, author of "Cyber Warfare" and CSO of Ericom Software; Dr. Herb Roitblat, author of "Algorithms are Not Enough" and former Principal Data Scientist at Mimecast; Phil Bove, National Security Agency; Shahid Shah, Founder/Publisher of Netspective Media and Matt Desch, CEO of Iridium Communications. (App. 010-038).

Given these efforts, the Cyberhero Adventure Show and CYBERHERO ADVENTURE comics have become leading in the cybersecurity field and are perceived by experts as a reliable source and partner in the field of cybersecurity. (App. 006; App. 046-047). Moreover, Mr. Berman's connections have grown steadily since the first commercial use of the Cyberman Mark. As of December 2021, Mr. Berman has over 20,000 followers on LinkedIn, including some of the key players in the cybersecurity ecosystem. (App. 004; 009; 016; 042; 054-56).

All of this shows that the goods sold under the Cyberman Mark are more than comic books meant for entertainment purposes. Instead, they have become synonymous

for renowned educational tools that shed more light on cybersecurity. It also shows that Cyberman has established significant goodwill in the Cyberman Mark.

b. The ‘845 Opposition

The ‘845 Opposition was filed by Cyberman against EGM’s application of its mark CYBERHERO, U.S. Serial No. 88,293,133. Cyberman based the ‘845 Opposition, *inter alia*, on its common law mark CYBERHERO, claiming that EGM’s applied-for mark CYBERHERO is identical and thus confusingly similar. Cyberman also claims that EGM’s applied-for-mark CYBERHERO is generic which further bars registration of the mark.

The opposed application was filed by EGM on February 7, 2019, as an intent to use application for, *inter alia*, “Downloadable Video Game Programs; Downloadable Electronic Game Software for Cellular Telephones.” EGM has shown no use of the mark prior to the application.

V. ARGUMENT

a. EGM’s ‘427 Opposition should be denied and the Cyberman Mark should be registered.

EGM’s Opposition has no merit and the Cyberman Mark should be registered because there is no likelihood of confusion between CYBERHERO ADVENTURES and CYBERHERO LEAGUE under the *DuPont* factors. *See In re E. I. DuPont De Nemours & Co.*, 476 F.2d 1357, 1361 (C.C.P.A. 1973). Here, the two most fundamental factors under this test – differences in the marks and in the goods – both weigh heavily against a finding of a likelihood of confusion. *See Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24, 29 (CCPA 1976) (“The fundamental inquiry mandated

by § 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods and differences in the marks.”).

1. EGM has no propriety rights in the broader mark CYBERHERO – neither by registration nor prior use.

As a threshold matter, it should be noted that EGM has no previous proprietary rights in the broader mark CYBERHERO. For that reason, the likelihood of confusion analysis is limited to a comparison of EGM’s mark CYBERHERO LEAGUE and the Cyberman Mark.

“A party may establish its own prior proprietary rights in a mark through ownership of a prior registration, [or] actual use. *See* Trademark Act §§2(d) and 45, 15 U.S.C. §§1052(d) and 1127.” *Benjamin J. Giersch v. Scripps Networks, Inc.*, 90 U.S.P.Q.2d 1020 (T.T.A.B. 2009), citing *T.A.B. Systems v. PacTel Teletrac*, 77 F.3d 1372, 37 USPQ2d 1879 (Fed. Cir. 1996). “It is well settled that in the absence of any evidence of earlier use, the earliest date upon which respondent may rely is the filing date of its underlying application. *See* Trademark Act Section 7(c), 15 U.S.C. §1057 (c).” *Id.*

Here, as laid out above, EGM has no registered trademark CYBERHERO. EGM also did not have any use of the mark CYBERHERO prior to its application in February 2019. This is evidenced by the fact that EGM filed an intent to use application. Indeed, EGM only can show use in commerce of the mark CYBERHERO LEAGUE. EGM thus does not have a common law right in the mark CYBERHERO. As a result, EGM can only claim a right in the composite mark CYBERHERO LEAGUE – not in CYBERHERO.

As the following sections will show, no likelihood of confusion exists between CYBERHERO ADVENTURES and CYBERHERO LEAGUE.

2. EGM has not made a sufficient showing that its mark CYBERHERO LEAGUE is famous.

EGM claims that it has developed substantial goodwill in its mark CYBERHERO LEAGUE and that CYBERHERO LEAGUE “has become increasingly famous, well known, and distinctive.” See EGM’s Trial Brief, at 4. However, no evidence has been submitted by EGM that shows that CYBERHERO LEAGUE is famous or that could otherwise substantiate EGM’s claim. For this lack of evidence, EGM’s assertions fall short of a sufficient showing that CYBERHERO LEAGUE should be afforded greater protection because of its fame. See *Morgan Creek Prods., Inc. v. Foria Int’l, Inc.*, 91 U.S.P.Q.2d 1134 (T.T.A.B. 2009), citing *Leading Jewelers Guild Inc. v. LJOW Holdings LLC*, 82 USPQ2d 1901, 1904 (T.T.A.B. 2007) (“[I]t is the duty of a party asserting that its mark is famous to clearly prove it.”). Indeed, in *Morgan Creek*, the Board held that the opposer has not met its burden to show that its mark was famous because it did not provide sufficient context of its sales and advertising figures. The same is true for EGM.

3. The common element of both marks “CYBERHERO” is weak and is thus only afforded limited protection.

The term “CYBERHERO” shared by both EGM’s Cyberhero League Mark and the Cyberman Mark is weak and therefore should only be afforded limited protection. *International Ass’n of Machinists and Aerospace Workers, AFL-CIO v. Winship Green Nursing Center*, 103 F.3d 196, 206, 41 U.S.P.Q.2d 1251 (1st Cir. 1996) (“Under the Lanham Act strong marks enjoy the greatest protection against infringement.”). It is therefore unlikely that the common element of both marks (i.e., the term “CYBERHERO”) is going to create confusion among costumers. See *Cyber-Tronics, Inc. v. Johnson Serv. Co.*, 156 U.S.P.Q. (BNA) ¶ 583 (T.T.A.B. Dec. 18, 1967) (“a suggestive,

although possibly not descriptive, mark bestows upon its proprietor a narrower orbit of protection that may permit another party to enter the same broad field of trade and use the same or a similar mark for goods distinctly different from those of the prior user without giving rise to a likelihood of confusion or mistake as to the origin of the respective goods.”).

A portion of a mark is “weak” if that portion is descriptive, highly suggestive, or is in common use by many other sellers in the market. *See Knapp-Monarch Co. v. Poloron Products, Inc.*, 134 U.S.P.Q. 412 (T.T.A.B. 1962) (THERMEX—THERM-A-JUG: no likelihood of confusion, as common “THERM” is suggestive of heat-insulating). A mark is suggestive if it “requires imagination, thought and perception to reach a conclusion as to the nature of the goods, while a merely descriptive mark forthwith conveys an immediate idea of the ingredients, qualities or characteristics of the goods.” *In Re Omg Elecs., LLC*, No. 85703706, 2021 WL 725583, at *2 (Feb. 5, 2021), citing *DuoProSS Meditech Corp. v. Inviro Medical Devices, Ltd.*, 695 F.3d 1247, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012). “[T]he question is whether someone who knows what the goods ... are will understand the mark to convey information about them.” *Id.*

Here, the term “CYBERHERO” is suggestive of EMG’s internet related goods and services since its subpart “CYBER” is a common “[i]nternet-related prefix[] [similar to] e-, i-, ...-, info-, techno- and net-[which] are added to a wide range of existing words to describe new, Internet- or computer-related flavors of existing concepts, often electronic products and services that already have a non-electronic counterpart.” *Id.* at *3. Along those lines, the Board in *In Re Omg. Elecs.*, held that the mark IWATCH was merely descriptive of the goods on which it was used, i.e., smart watches. Similarly, the Board

in *Cyber-Tronics* confirmed the suggestive nature of the term “CYBERTRONICS” “as applied to electronic equipment and apparatus generally.” At 4. *See also In re Zanova, Inc.*, 59 USPQ2d 1300, 1305 (T.T.A.B. 2000) (holding that ITOOL is merely descriptive of computer software for use in creating web pages, and custom design of websites for others). Cyberman has also provided evidence to that effect, i.e., that the term “CYBER” is commonly used in the realm of internet related goods and services. *See Cyberman’s Opposition No. ‘845 – See 1 T.T.A.B.VUE, Exhibit C; Cyberman’s Pretrial Disclosures to EGM, Exhibits E; (App. 065-086).*

Accordingly, the term CYBER is weak and can only be afforded limited protection.

4. *The marks are substantially different.*

The proper standard for the likelihood of confusion analysis under the first *DuPont* factor, i.e., the similarity of the marks, requires that the marks have to be “viewed in their entirety in terms of appearance, sound, connotation and overall commercial impression.” *DuPont* at 1361.

An evaluation of appearance, connotation and overall impression of the Cyberman Mark shows that it can be clearly distinguished from CYBERHERO LEAGUE and is not confusingly similar.

First and foremost, the Cyberman Mark consists of multiple words: CYBERHERO ADVENTURES: DEFENDERS OF THE DIGITAL UNIVERSE. By contrast, CYBERHERO LEAGUE only consists of two words. Out of the seven words that comprise the Cyberman Mark, only *a single word* overlaps with CYBERHERO LEAGUE. This is a significant difference in the marks’ overall impression – contrary to EGM’s assertion. *See EGM’s Trial Brief, at 9* (“It is hard to imagine greater similarity than when

the challenged mark sound and mean essentially the same as the registered mark. This is true even though the challenged mark includes the additional terms “DEFENDERS OF THE DIGITAL UNIVERSE.”).

EGM’s analysis which singles out one word of the composite marks contradicts ample and established case law according to which multi-word marks must be compared in their entirety, rather than by breaking them up into their component parts. *See, e.g., Massey Junior College, Inc. v. Fashion Institute of Technology*, 492 F.2d 1399, 1402, 181 U.S.P.Q. 272, 273 (C.C.P.A. 1974) (“It is axiomatic that a mark should not be dissected and considered piecemeal; rather, it must be considered as a whole in determining likelihood of confusion.”); *also see In re National Data Corp.*, 753 F.2d 1056, 224 U.S.P.Q. 749, 751 (Fed. Cir. 1985) (“[L]ikelihood of confusion cannot be predicated on dissection of a mark, that is, on only part of a mark.”).

Along those lines, every word in a multi-word mark is offered the same significance when assessing the similarities of marks and the fact that the dominant words of both marks are similar or identical, is irrelevant. *See Luigino's, Inc. v. Stouffer Corp.*, 170 F.3d 827, 830 (8th Cir. 1999) (“The use of identical dominant words does not automatically mean that two marks are similar.”).

Under this appropriate standard for assessing the similarity of the marks, no likelihood of confusion exists between CYBERHERO LEAGUE and CYBERHERO ADVENTURES: DEFENDERS OF THE DIGITAL UNIVERSE.

This is further supported by the fact that the term “CYBER” which is the common part of both marks (*see supra*, a. 3.), is weak. Case law is clear that even minor differences between marks that share a weak common element negate any likelihood of

confusion. *See Freedom Sav. and Loan Ass'n v. Way*, 757 F.2d 1176, 1183 (11th Cir. 1985) (denying a likelihood of confusion between the marks “Freedom Realty” and “Freedom Savings and Loan Association” based on the fact that the marks were suggestive and thus weak.).

Another instructive case is *Sun Banks of Fla., Inc. v. Sun Fed. Sav. and Loan Ass'n*, 651 F.2d 311, 316 (5th Cir. 1981). There, the court denied a likelihood of confusion between the marks SUN BANKS and SUN FEDEARL, stating: “Whether an addition is sufficient to prevent confusion in a particular instance depends upon the strength of the main part of the mark and the distinctiveness of the additional feature. Where a trademark is itself weak, *minor additions may effectively negate any confusing similarity.*” (emphasis added). Here, the Cyberman Mark contains not only a minor addition, but in fact contains six words that differ from EGM’s mark CYBERHERO LEAGUE. *See supra*. These additional words easily qualify as a minor, if not substantial, alterations.

In light of these clear differences between the marks alone, no likelihood of confusion exists, and EGM’s Opposition should be denied. *See Odom’s Tennessee Pride Sausage, Inc. v. FF Acquisition, L.L.C.*, 600 F.3d 1343, 1346–47 (Fed. Cir. 2010), citing *Champagne Louis Roederer, S.A. v. Delicato Vineyards*, 148 F.3d 1373, 1375 (Fed.Cir.1998) (no likelihood of confusion existed based solely on the dissimilarity of the marks, holding: “[A] single *DuPont* factor may be dispositive in a likelihood of confusion analysis, especially when that single factor is the dissimilarity of the marks.”).

5. *The goods sold under the marks are not related.*

EGM claims that the goods sold under CYBERHERO LEAGUE and the Cyberman Mark are related. In support of this notion, EGM relies on a list of 20-something trademark registrations for comic books and computer games. *See* 13 T.T.A.B.VUE Exhs. EGM2 – EGM25. This argument is of no avail. Almost every single registration EGM lists in its evidence has issued under Section 44(e) of the Act, 15 U.S.C. 1126(e), meaning that the trademarks have no use in commerce. As such, the registrations have little to no probative value to show relatedness of goods. *In Re Albert Trostel & Sons Co.*, 29 U.S.P.Q.2d 1783 (T.T.A.B. 1993) ("[T]hird-party registrations which have issued under Section 44(e) ... have very little persuasive value on this point. In the present case, four of the five third-party registrations made of record by the Examining Attorney issued under the provisions of Section 44(e) of the Act, based only upon ownership of a foreign registration. Accordingly, while we have considered the third-party registration evidence, its probative value is very limited."). The registrations should thus be disregarded. *See Two Roads Brewing Co. LLC*, No. 91248700, 2021 WL 1221484, at *9 (Mar. 29, 2021) ("We also have not considered Reg. No. 5756221 because it registered under Section 44(e) of the Trademark Act, and no Section 8 declaration of use has been filed.").

The truth is that there is no overlap between the goods. Cyberman's application of CYBERHERO ADVENTURES is for comic books whereas EGM's registration of CYBERHERO LEAGUE is for interactive educational and entertainment services, as well as a social networking website. The mere fact that both Cyberman's and EGM's goods and services fall broadly into the category of web-based services does not suffice to

show relatedness. *See Calypso Tech., Inc. v. Calypso Capital Mgmt., Lp*, 100 U.S.P.Q.2d 1213 (T.T.A.B. 2011) (“[I]n order to find that goods and services are related, there must be more of a connection than that a single term, in this case “financial field,” may be used to generally describe them.”). Similarly, the Board in *In Re Tintoria Piana U.S., Inc.*, No. 87776775, 2020 WL 1873065 (Mar. 25, 2020) reversed a Section 2(d) refusal, holding that the Registrant’s goods in the case, comprising of woolen goods such as mufflers and shawls, yams and threads, as well as bed covers, blankets and clothing, were not confusingly similar to the hydrophobic textile fibers for which the Applicant sought trademark protection. The Board stated that even though both goods generally could be categorized as textiles, the goods were related because textile fibers and textile fabrics are goods that are often provided together and marketed under the same mark. The Board also clarified that the evidence must take into account the specific differences between the goods. Here, the differences are evidenced by the descriptions of the services and goods in the application and registration. Moreover, as laid out above, Cyberman’s goods and services have the particular aim to empower victims of cybercrimes and educate specifically on those issues. This is clearly distinguishable from EGM’s services which more resemble a virtual reality platform that invites people “to do good” on the internet. This also shows that the goods serve different and very specific purposes. Arguably, the narrower the goods’ purpose and suggested use, the more unlike is it that consumers will be confused. *See In Re Coty Us LLC*, No. 77631330, 2012 WL 1267919, at 2 (Mar. 29, 2012) (embracing Applicant’s argument that its goods were very limited in their use and function and thus were distinctly different than those offered under the registered mark.).

Moreover, that comic books and internet-based services are sometimes provided together is not sufficient for a showing that the goods are similar – just like the fact “that two different items can be found in a supermarket, department store, drug store, or mass merchandiser does not suffice to show that the goods are related for Section 2(d) purposes.” *Mini Melts, Inc. v. Reckitt Benckiser LLC*, 118 U.S.P.Q.2d 1464, 2016 WL 3915987 (T.T.A.B. 2016).

Accordingly, no likelihood of confusion exists based on a similarity of the goods.

b. Cyberman’s ‘845 Opposition should be granted and registration of EGM’s mark CYBERHERO should be denied.

1. Cyberman is entitled to bring its Opposition against EGM’s mark.

Cyberman has statutory standing (or entitlement) to oppose EGM’s application of CYBERHERO. To establish such entitlement, an opposer must (1) be within the “zone of interest” protected by the statute; and (2) show “proximate causation” between plaintiff’s alleged injury and the alleged statutory violation. *See Corcamore, LLC v. SFM, LLC*, 978 F.3d 1298, 1303 (Fed. Cir. 2020), *cert. denied*, 210 L. Ed. 2d 833 (May 24, 2021), citing *Lexmark International, Inc. v. Static Control Components, Inc.*, 572 U.S. 118, 134 S.Ct. 1377, 188 L.Ed.2d 392 (2014). The Court in *Corcamore* clarified that the analysis under *Lexmark* is analogous to the previous analytical framework according to which the opposer must show a real interest in the proceeding as well as a reasonable belief that it would be damaged by the registration of the opposed applied-for-mark. *Empresa Cubana del Tabaco v. General Cigar Co.*, 753 F.3d 1270 (Fed. Cir. 2014). If the opposition is based on a likelihood of confusion argument, all that is necessary for opposer to have standing is to allege a claim of likelihood of confusion that is plausible and not wholly without merit. *See, e.g., Int’l v. Birligi*, 99 U.S.P.Q.2d 1545 (T.T.A.B. 2011) (“[T]he

arguable similarities in the marks and the arguable relatedness of the goods is sufficient for us to find that opposer has met the statutory requirement of establishing a reasonable belief of damage by showing that it possesses a real interest in the proceeding, and is not an intermeddler.”). Moreover, standing does not require that the opposer is the owner of a registered trademark. Prior use of the trademark suffices to establish priority – and thus standing. *See, e.g., Herbko Intern., Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1162, 64 U.S.P.Q.2d 1375 (Fed. Cir. 2002) (“To establish priority, the petitioner must show proprietary rights in the mark that produce a likelihood of confusion. ... These proprietary rights may arise from a prior registration, prior trademark or service mark use, prior use as a trade name, prior use analogous to trademark or service mark use, or any other use sufficient to establish proprietary rights.”).

Here, Cyberman has demonstrated a substantial interest in the proceeding by pleading that EGM’s applied-for-mark CYBERHERO is confusingly similar to CYBERHERO ADVENTURES. Cyberman’s application also forms the basis of Cyberman’s reasonable belief that it would be damaged from registration of EGM’s mark CYBERHERO given the likelihood of confusion between the marks and because Cyberman believes that registration of EGM’s mark CYBERHERO will dilute and tarnish the Cyberman Mark. *See* Cyberman’s Notice of Opposition ‘845, 1 T.T.A.B.VUE (paras. 5-12). *See Cunningham v. Laser Golf Corp.*, 55 U.S.P.Q.2d 1842, 1844 (Fed. Cir. 2000) (“Laser Golf owns two prior registrations. These registrations and the products sold under the mark they register suffice to establish Laser Golf’s direct commercial interest and its standing to petition for cancellation of Cunningham’s LASERSWING mark.”).

Cyberman can also establish priority by showing that it began using its Cyberman Mark prior to EGM's use of CYBERHERO. As stated above, Cyberman has been continuously using CYBERHERO ADVENTURES in commerce since May 2018 whereas EGM has only filed its intent to use application for the mark CYBERHERO in February 2019. EGM's assertion that "EGM has continuously used its ... CYBERHERO marks in commerce since at least as early as 2010" is thus belied. *See* EGM's Trial Brief at 6. Indeed, nothing in the record indicates such use of the single word mark CYBERHERO prior to Cyberman's application of the Cyberman Mark. Previous use only existed with regard to EGM's mark CYBERHERO LEAGUE.

2. Cyberman has a common law right in the mark CYBERHERO and EGM's applied-for-mark CYBERHERO is identical to that mark.

Pursuant to 15 U.S.C. §1052(d), a mark may not be registered if it is likely to cause confusion based on a registered mark previously used in the United States by another and not abandoned. A proprietary right in a mark can also be established through prior use. *See Benjamin J. Giersch, supra*, 90 U.S.P.Q.2d 1020 ("A party may establish its own prior proprietary rights in a mark through ... actual use.").

Here, registration of EGM's mark CYBERHERO should be denied because (1) Cyberman has a common law right in the mark CYBERHERO and (2) because the applied-for-mark CYBERHERO is identical and thus confusingly similar to Cyberman's common law mark CYBERHERO.

Cyberman has a common law right in the mark CYBERHERO based on its use of the mark since May 2018. *See* Cyberman's Application, U.S. Serial No. 88,219,305; *see also* Cyberman's Opposition, '845, 1 T.T.A.B.VUE, para. 3. By contrast, EGM only filed its application of the mark CYBERHERO in February 2019 – almost one year after

Cyberman’s first use in commerce. No evidence of prior use was submitted by EGM. “It is well settled that in the absence of any evidence of earlier use, the earliest date upon which respondent may rely is the filing date of its underlying application.” *Id.* Also see *Allard Enterprises, Inc. v. Advanced Programming Resources, Inc.*, 146 F.3d 350, 356, 46 U.S.P.Q.2d 1865, 1998 FED App. 0175P (6th Cir. 1998) (“One of the bedrock principles of trademark law is that trademark ... ownership is not acquired by federal or state registration. Rather, ownership rights flow only from prior appropriation and actual use in the market.”)

Notably, EGM’s claim that it has a common law right in CYBERHERO conflates the rights EGM has in its registered mark CYBERHERO LEAGUE (which is the basis of EGM’s ‘724 Opposition) and its applied-for-mark CYBERHERO. Unlike EGM suggests, use of the composite mark CYBERHERO LEAGUE does not establish use of the broader mark CYBERHERO. Otherwise, every owner of a composite mark would own rights as to every term of the mark.

Registration of EGM’s applied-for-mark CYBERHERO should be barred because it would create a likelihood of confusion with Cyberman’s common law mark CYBERHERO given that the mark is identical – regardless of whether the goods or services are related. *See In re Majestic Distilling Co., Inc.*, 315 F.3d 1311, 1315 (Fed. Cir. 2003), citing *In re Shell Oil Co.*, 992 F.2d 1204, 1207 (Fed. Cir. 1993) (“[E]ven when goods or services are not competitive or intrinsically related, the use of identical marks can lead to the assumption that there is a common source.”) (internal quotations omitted). This taken alone warrants that Cyberman’s Opposition should be granted.

Moreover, the goods and services for which EGM seeks registration of CYBERHERO are related to the goods and services on which Cyberman uses its common law mark CYBERHERO. “Where, as here, the marks are nearly identical, “[i]t is only necessary that there be a viable relationship between the goods' to support a finding of likelihood of confusion.” *Mini Melts, Inc. v. Reckitt Benckiser LLC*, 118 USPQ2d 1464, 1471 (T.T.A.B. 2016), quoting *L'Oreal S.A. v. Marcon*, 102 USPQ2d 1434, 1439 (T.T.A.B. 2012). Such viable relationship clearly exists here where both marks are used on online entertainment and education. Specifically, this use is reflected in the comic books published by Cyberman, as well as Cyberman’s website and show – all of which are virtual tools with the purpose of educating people on cybersecurity. *See supra*. Similarly, EGM seeks registration of the mark CYBERHERO in connection with educational and entertainment services using storytelling, animation and cartoon characters.

3. EGM’s Mark CYBERHERO is generic and must thus not be registered.

Even if no likelihood of confusion were to exist between the marks, EGM’s mark CYBERHERO cannot be registered because it is generic. It is axiomatic that “[a] generic term cannot be registered as a trademark, for generic terms by definition are incapable of indicating source.” *Merrill Lynch*, 828 F.2d at 1569; *see H. Marvin Ginn Corp. v. Int’l Ass’n of Fire Chiefs, Inc.*, 782 F.2d 987, 989–90 (Fed.Cir.1986). A generic term is the common name for the genus of goods or services being sold. In order to determine whether a mark is generic, courts employ “a two-step inquiry: First, what is the genus of goods or services at issue? Second, is the term sought to be registered or retained on the register understood by the relevant public primarily to refer to that genus of goods or services?” *See H. Marvin Ginn Corp.* at 990. “Evidence of the public's understanding

of a term may be obtained from any competent source, including testimony, surveys, dictionaries, trade journals, newspapers and other publications.” *Merrill Lynch*, 4 USPQ2d at 1143, and *In re Northland Aluminum Products, Inc.*, 777 F.2d 1556, 227 USPQ 961, 963 (Fed. Cir. 1985).

Applying these criteria to the instant case allows for no other conclusion but that CYBERHERO is a generic term.

The genus of the goods and services here can be defined as online and internet related games and software which are aimed at educating users of the games on cybersecurity and awareness. Turning to the second inquiry, Cyberman has provided ample evidence showing that the term “CYBERHERO” has been in common use since as early as the 1980s and typically refers to a form of an “internet” hero that represents and assists individuals who use the internet and digital technologies for other people, animals and the environment with the goal of achieving humanity’s highest ideals and aspirations, including world peace, social justice, environmental protection and planetary stewardship. *See* Cyberman’s Answer to EGM’s Opposition No. ‘427, 4 T.T.A.B.VUE, Exhibits 1—17; also incorporated as Exhibit B to Cyberman’s Opposition No. ‘845, 1 T.T.A.B.VUE; (App. 065-086).

This overwhelming evidence shows that many third parties are already using the term CYBERHERO in exactly the same context as EGM, i.e., fighting against cyber criminality and using the internet as a tool to do good. Given this generic nature, EGM should not be allowed to monopolize the term that has to so widely come to be understood as an archetype for online heroes.

For this reason alone, registration of the mark CYBERHERO should be refused.

VI. CONCLUSION

For the reasons set forth above, Cyberman respectfully requests the Board to deny EGM's Opposition and to grant Cyberman's Opposition to EGM's application of the mark CYBERHERO.

Respectfully submitted,

DATED this 23rd day of December, 2021.

RIMON, P.C.

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*Attorney for Applicant in Opposition
'427 and Opposer in Opposition '845*

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2021, a copy of the Combined Trial Brief of Cyberman Security LLC, Applicant in Opposition No. 91249427 and Opposer in Opposition No. 91253845 was served by electronic mail on Evolutionary Guidance Media R&D Inc.'s attorney of record as follows:

MLowry@wlj.com

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Rogers, AR 72758

Attorney for Opposer in Opposition '427 and Applicant in Opposition '845

/s/Tad Prizant

Tad Prizant

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

EVOLUTIONARY GUIDANCE)	Opposition No. 91249427
MEDIA R&D INC.,)	
)	Serial No. 88219305
Opposer,)	
v.)	Mark: THE CYBERHERO
)	ADVENTURES; DEFENDERS
CYBERMAN SECURITY, LLC AKA)	OF THE DIGITAL UNIVERSE
THE CYBERHERO ADVENTURES;)	
DEFENDERS OF THE DIGITAL)	Published: May 14, 2019
UNIVERSE)	
)	
Applicant)	
<hr/>		
CYBERMAN SECURITY, LLC AKA)	Opposition No.: 91253845
THE CYBERHERO ADVENTURES;)	
DEFENDERS OF THE DIGITAL)	Serial No. 88293133
UNIVERSE)	
)	Mark: CYBERHERO
Opposer)	
)	Published December 3, 2019
v.)	
)	
EVOLUTIONARY GUIDANCE)	
MEDIA R&D INC.,)	
)	
Applicant)	

APPENDIX TO COMBINED TRIAL BRIEF OF
CYBERMAN SECURITY LLC, APPLICANT IN OPPOSITION NO.
91249427 AND OPPOSER IN OPPOSITION NO. 91253845

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Attorney(s) for Cyberman Security, LLC

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Screenshots of www.cyberherocomics.com	App. 037 – App. 047
CXO Fund - Cyber Hero Network Investor Deck	App. 048 – App. 064
Third-party uses of CYBERHERO	App. 065 – App. 086

Defendant in Opposition No. 91249427 (“427”) and Plaintiff in Opposition No. 901253845 (“845”) Cyberman Security, LLC (hereinafter referred to as “CYBERMAN” or “Defendant in ‘427 and Plaintiff in ‘845, hereby submits this Appendix of Genericness of Usage of Trademark(s) of CYBERMAN filed concurrently with the Combined Trial Brief.

Respectfully submitted,

DATED this 23rd day of December, 2021.

RIMON, P.C.

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*Attorney for Defendant in ‘427 and
Plaintiff in ‘845*



Gary Berman • 2nd

Host of The "CyberHero Adventures Show" at cyberheroescomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe.

Miami-Fort Lauderdale Area • Contact info

800+ connections

1 mutual connection: Steven Calley, JD, PhD.

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The CyberHero Adventures:
Defenders of the Digital
Universe

UF
University of Florida

Highlights

"Crowdsourcing Cybersecurity Education" Empowering Children.

Gary spoke at this event.

[Message](#)

About

The ONLY time that people hear about cybercrime and hacking is when the CRIMINALS win...NOT ANYMORE!
Welcome to The CyberHero Adventures Show! Our mission is to shine the light on the unsung cyber heroes who toil in anonymity to keep us safe online at work, home and school. As a survivor of a devastating series of cyber crimes committed by trusted insiders, my team and I have pivoted from VICTIMS to ADVOCATES by creating our entertaining and engaging Show including the most amazing thought leaders throughout the cybersecurity and IT Communities. Check it out at cyberheroescomics.com!

Featured

See all

Thank you to the real-life unsung heroes AND their families who serve to protect and...



Veterans & Cybersecurity: The Perfect Force Multiplier!

12 • 8 comments

The White House Counter-Ransomware Initiative meetings come in response to...



FACT SHEET: Ongoing Public U.S. Efforts to Counter Ransomware | The White House

12 • 5 comments

We are HONOR... author of "Algo...



15 • 8 comments

Activity

32,545 followers

The cybersecurity Community is well aware of the constant attacks from...

Gary shared this.
8 reactions • 3 comments

Dale Peterson is a real-life unsung cyber hero!

Gary commented

Join Bob Turner, Field CISO, Education, Fortinet | Mike Saylor, CEO, Blackswan...

Gary shared this.
12 reactions • 7 comments

What an HONOR to listen and learn from these amazing thought leaders...

Gary commented

See all activity

Experience

The CyberHero Adventures: Defenders of the Digital Universe
5 yrs 4 mos

Host of The "CyberHero Adventures Show", cyberheroescomics.com

Full-time
Sep 2019 - Present • 2 yrs 4 mos
South Miami, Florida, United States

Our mission is to shine the light on the unsung cyber heroes who toil in anonymity to keep us safe online at work, home and school. We are an advocacy platform for thought leaders to develop new Community connections and to maintain current relationships. Our Network includes video interviews with the thought leaders throughout industry, government and the private sector.

Gary Berman, The CyberHero Adventures...

Creator, comic advocacy series, "The CyberHero Adventures: Defenders of the Digital Universe"

Sep 2016 - Present • 5 yrs 4 mos
Miami/Fort Lauderdale Area

The CyberHero Adventures: Defenders of the Digital Universe is dedicated to all of the unsung heroes who toil in anonymity to keep us safe at work, home and school. Through the use of real-life cyber crime stories told via comics and animations, the reader or audience member will experience the devastating effects of cybercrime including financial, emotional, psycho...

A. Cover.jpeg

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Rob, learn what hiring managers look for in answers to top interview questions

- [Tell me about a time you created a goal and achieved it.](#)
- [Tell me about a time you had to persuade someone.](#)
- [Tell me about a time you worked with a difficult person.](#)

See all questions

May 2017 - Present · 4 yrs 8 mos
Global Cyber Security Conferences

During the past three years, I have listened and learned from hundreds of the most influential leaders within the Cyber Security Community while attending conferences. With permission, I have conducted and recorded countless one-on-one interviews with C-level and other senior executives from companies such as Intel, Oracle, Deloitte, Aon, Tenable, General Motors...see more

 **Cyber Security Industry Analyst: My 'superpower'**

 **Contributing Writer at Cyber Defense Magazine**
Cyber Defense Magazine
Mar 2019 - Present · 2 yrs 10 mos
Miami

Cyber Defense Magazine is a highly-respected media platform focusing on the Cyber Security Ecosystem and in supporting the Community with leading-edge best practices and sharing the information to over 1.4 million viewers. As the Creator of "The Cyber Hero Adventures: Defenders of the Digital Universe", we write about real-life stories of cyber crime and the unsung heroes...see more

 **Screen Shot 2019-01-24 at 10:59:56 AM.png**

 **Keynote Speaker: From Victim to Advocate**
Humanizing Cyber Crime - Full-time
Mar 2017 - Present · 4 yrs 10 mos
National & International Meetings

Audiences from 100 to 5,000 will be AMAZED by Gary's "Forrest Gump" journey into the digital universe!

 **The Cyber Hero Adventures: Defenders of the Digital Universe**  **Check out our NEW website!**

 **Managing Director**
C-Suite Consulting
Jan 2006 - Mar 2016 · 10 yrs 3 mos
Nationwide

We've worked with organizations to pitch joint ventures, strategic acquisitions and other high-level business development programs.

 **Co-Founder**
Grasp Learning
Aug 2012 - Jan 2015 · 2 yrs 6 mos
South Florida

Grasp Learning focused on making after school learning FUN! Our certified learning coaches work with children ages 5-16 in small group tutoring sessions. We provided a holistic approach based upon your child's learning style with a special emphasis on movement and unleashing JOY!

 **Executive Director**
The Anthem Project
Jan 2010 - May 2013 · 3 yrs 5 mos
South Florida

The Anthem Project was a real estate development pilot project that when funded by the government, would have completely reinvented how veterans reintegrated back into civil society. The concept included housing, education, health care, employment training, mental health services and many others. Unfortunately, we were a bit too early to partner with the Ve...see more

 **Chief Executive Officer**
Market Segment Research
Oct 1988 - Jan 2008 · 19 yrs 4 mos

Leading authority on the Hispanic, African American, Asian and GLBT markets for major U.S. consumer goods companies including AT&T, General Motors P&G and other Fortune 500 companies. Produced the pioneering series of reports including The Minority Market Report, The Ethnic Market Report, The Portrait of the New America (partnership with Forbes Magaz...see more

Show fewer experiences ^

Education

 **University of Florida**
Marketing
1988 - 1988

Volunteer experience

 **Past President of Temple Judea**
The Margaux Early Childhood School at Temple Judea
Jul 2013 - Jun 2014 · 1 yr
Social Services

Temple Judea is a warm and welcoming Reform Jewish Congregation whose focus is life-long study, worship and acts of loving kindness. Torah, Avodah, Gemilut Chasadim. As a temple family we embrace each other's needs throughout our lives and strive for personal and spiritual growth, and a sense of holiness, Kedushah. We recognize our connection and responsibility to the worldwide Jewish community, Klal Yisrael, and are committed to repairing the world, Tikkun Olam. Together we honor, share and celebrate our rich Jewish heritage from generation to generation, L'Dor V'Dor.

 **Advisory Board Member (iroc2.org)**
Institute for Responsible Online & Cell Phone Communications
Nov 2016 - Present · 3 yrs 2 mos
Children

Given the significant increase in cyber-crimes including hacking of all types of devices, cyber-stalking, cyber-bullying, identity theft, financial crimes and other online activity, the mission of IROC2.org is needed more now than ever! Their mission is to enlighten and empower children, parents, school administrators, law enforcement and others to prevent the negative consequences of cyber-crime from happening to them via their proprietary "Public & Permanent" pedagogy delivered in person and online.

Skills & endorsements

Entrepreneurship · 52

 Endorsed by Frank Feather · QuantumAI/Futurist and 2 others who are highly skilled at this

Leadership · 48

Endorsed by Frank Feather - QuantumAIFunurst, who is highly skilled at this

Business Development - 47

Endorsed by Jeremy Prasetyo, who is highly skilled at this

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Team Building - 12

Training - 12

Other Skills

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Show less

Recommendations

Received (27)

Given (4)

Bob Turner
InfoSec Executive |
Education CISO | Leader |
Team Builder | Advisor

I have known Gary Berman (a.k.a. the "Forrest Gump of cybersecurity") since the birth of the Cyber Heroes comic. His passion for bringing the right topics to his audience(s) is the secret to success. He learns complex cybersecurity topics fast and has a gift for putting together people from the cybers... See more

Herbert Roitblat
Principal Data Scientist at
Mimecast

Gary has put together a fantastic network of cybersecurity specialists. Each time we meet (virtually, of course), I learn something. I am honored to be able interact with such experts. Lots of good things come from these conversations. Each person has something to contribute to the others and we all b... See more

JJ S.
Departing Chief Technology
Officer, Strategist, Tech
Scout, Community
Connector and Passionate
Collaborator
October 28, 2024 - I worked with
Gary for 10 years at VMware. He is a

Gary is doing tremendous work on behalf of keeping our kids and families safe in cyberspace! Big fan of his efforts to educate and inform in a fun, entertaining and engaging way that also makes the internet a friendlier place to be!

Max Justice
Cyber Farmer 🌾 Sowing
virus-resistant seeds of
security 🛡️ USMC Veteran as
September 28, 2021 - Max was a
mentor at Gary's

Working with Gary has been one of the best experiences in my cybersecurity career. Gary has an innate ability to bring people together to have great conversations about a very challenging topic: cybersecurity. Gary truly loves what he does, and it shows in the way freely shares information, stories and relations... See more

Keith Fuentes
Keith Fuentes - Sales &
Business Development
Executive
September 15, 2021 - Keith
worked with Gary on an offsite
- conference

I highly recommend Gary Berman. Gary is a selfless leader, who continually looks to serve the greater good. Gary is always seeking to unite the White Hats of the world, in order to collaborate and knowledge share. Gary is a master marketer and spokesperson. Having participated in several of Gary's Cyber Heroes ... See more

Terry Dunlap
Principal Program Manager
at Microsoft
June 8, 2021 - Terry joined with
Gary for an offsite conference

Gary has put together a great show with some great talent from the cybersecurity space. From newbies to executives, everyone can stand to learn from Gary's fun and often funny (but serious) show highlighting the unsung heroes in cybersecurity.

Yehudah Sunshine
Storyteller, Cybersecurity,
Father, Chief Evangelist &
Head of PR, odie
May 11, 2021 - Yehudah worked
with Gary for an offsite
- conference

Gary has proven time and time again that he is an insightful and highly articulate thought leadership guiding the cybersecurity conversation. From his down to earth style, years of on the ground tactical experience and a range of life experience which ideally place his consciousness in the foreground of th... See more

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Accomplishments

1 Language
Spanish

1 Publication

The CyberHero Adventure: Defenders of the Digital Universe

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Susan Cain
Formerly known as CNET CNET #100K and 1,001,000 followers

Kevin Chou
Managing Partner @chou.com
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European Space Agency - Friends



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THE CYBERHERO ADVENTURES
Digital Universe

Gary Berman
Host of The "CyberHero Adventures Show" at cyberherocomics.com, Creator of The CyberHero Adventures: Defenders of the Digital Universe

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Gary Berman • 2nd
Host of The "CyberHero Adventures Show" at cyberherocomics.com, Creat...
20 • Edited • 0

The cybersecurity Community is well aware of the constant attacks from criminals and nation states targeting CISA's Critical Infrastructure Sectors. Dale Peterson is considered one of the leading experts in the field and he shares some ...see more



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Unpacking Industrial Control Systems: Dale Peterson, Founder S4 Events
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Gary Berman **Author**
Host of The "CyberHero Adventures Show" at cyberherocomics.com...
Dale Peterson is a real-life unsung cyber hero!

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Join Bob Turner, Field CISO, Education, Fortinet | Mike Saylor, CEO, Blackswan Cybersecurity | Tyson Johnson, CEO, CyberH8 and Victor Maloy, Project Xander as they unpack the challenges and opportunities raising cybersecurity aw ...see more



Event ended
"Crowdsourcing Cybersecurity Education" Empowering Children.
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Gary Berman **Author**
Host of The "CyberHero Adventures Show" at cyberherocomics.com...
What an HONOR to listen and learn from these amazing thought leaders! While we ALL share in the collective challenges facing the real AND the Digital Universe, we DO have much to be grateful! ...see more

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Host of The "CyberHero Adventures Show" at cyberherocomics.com, Creat...
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This a GREAT podcast for thought leaders within the cybersecurity and IT community to gain insight in to the unique challenges and opportunities within security architecture! ...see more

Security Architecture Podcast | LinkedIn
12.10.2020 • 5 min read

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Host of The "CyberHero Adventures Show" at cyberherocomics.com, Creat...
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Now, more than ever, basic hygiene in the physical AND digital universe is mission-critical. Spread the word...Not the virus. Hope this helps. Gary Berman ...see more

Interests

Influencers

- Hunter Walk** **IN**
Partner at Kharabian VC (my YouTube, Google, Second Life product lead)
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"2021 Annual Report on Implementation": The Cyberspace Solarium Commission

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Host of The "CyberHero Adventures Show" at cyberherosolarium.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

Join [Chuck Brooks](#), Professor at Georgetown University & President of Brooks Consulting International, Sam Visner, Tech Fellow at MITRE and Shahid Shah, Founder & Publisher of Netspective Media as they unpack this mission critical update on the "82 Recommendations" from the Cyberspace Solarium Commission!

Anne Neuberger Jen Easterly Roger Grimes Perry Carpenter Winn Schwartzau Tom Brannan Admiral James Stavridis Shahid Shah Dennis McGarry Marene Allison Ron Craig Davina Pruitt-Mentle, Ph.D. Samuel Visner Marc Polymeropoulos Marc R. Sofia C. National Security Agency National Council of ISACs U.S. Department of Homeland Security National Institute of Standards and Technology (NIST) Chuck Brooks Dr. Chase Cunningham Chip Eschenfelder #nationalsecurity #infosec #security #cybersecurity #cybersecurityawareness #cyberattack #ransomwareattack #ransomwareprotection #criticalinfrastructure #CISA

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 5mo · Edited · 6

As the next step in our "Forrest Gump" journey into the Digital Universe, join us as we shine the light on the many unsung cyber heroes who have written AMAZING and helpful books. Have YOU written a book...gary@cyberheroescomics.com.

Anne Neuberger Roger Grimes Perry Carpenter Winn Schwartz Faye Francy Admiral James Stavridis Ron Craig Davina Pruitt-Mentle, Ph.D. Samuel Visner Tom Brennan/Joe (Joseph) Rosenbaum Marc R. Sofia C. National Council of ISACs ; U.S. Department of State U.S. Department of Homeland Security Dr. Chase Cunningham National Security Agency Jeff Shaffer Terry McGraw Peder Jungck Maria McGregor Bob Schillf Bob Dix Jack Daniel Chris Roberts Scott Schober Scott Algeier Alexandre BLANC Cyber Security Valerie Berman Herbert Rotblat @Kim Hakim Rick Lemieux Steven Cockcroft MSc Vogel Hatukalan Murphy/Ioth Jackson Bob Carver, CISM, CISSP, MS@Michael Garrie

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LIVE from Japan: Automotive Cybersecurity--Defending YOUR Wheels with Kamal Ghali.



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Host of The "CyberHero Adventures Show" at cyberheroadventures.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe. 11mo • Edited

Kamal is a veteran of the automotive cybersecurity community, having spent over 3 years as an expert car hacker, technical trainer, and contributor to worldwide industry-focused communities such as the SAE ASRG, and the Car Hacking Village. His particular areas of focus within vehicle security are IVN, Bluetooth, RF, and in-vehicle networks. He currently works at White Motion – subsidiary of the global automotive supplier, Marelli – where he leads the vehicle security research team, assessing vehicle systems and training customers in state-of-the-art car-hacking techniques.

Anne Neuberger Roger Grimes Perry Carpenter Winn Schwartz Faye Francy Kevin Tierney Christine Pellone Lynn Mattice Admiral James Stavridis Alexander White (We/Us/Our) Chris Roberts Ron Craig Ron Gula Carlos P. Kizzee Davina Pruitt-Mentle, Ph.D. Samuel Visner Sabra Horns Connor McCollough Tom Brennan Joe (Joseph) Rosenbaum Marc Dupuis PhD Karen Renaud National Council of ISACs, U.S. Department of Homeland Security Automotive News Detroit Free Press AAAEV-News

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Preview: "Behind the Scene: The Cyber Hero Adventure Show"

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Host of The "CyberHero Adventures Show" at cyberheroescomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe.

We're REALLY excited about the launch of our LinkedIn LIVE show! Each 30 minute episode will have three segments based upon The ART of STORYTELLING in CYBERSECURITY & TECH. YOU can be a guest based upon YOUR passion for art and design, share real-life stories of cybercrime or your business solutions. STAY TUNED!

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"China & Cyber Warfare: Myths vs Reality" featuring Bill Hagestad II, global thought leader!



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"China & Cyber Warfare: Myths vs Reality with global thought leader Bill Hagestad II".



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Host of The "CyberHero Adventures Show" at cyberheroesconomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

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Bill is an internationally recognized cyber intelligence subject matter expert, providing multi-cultural threat intelligence on global nation state cyber warfare attacks & information warfare initiatives. His clients include global 50 companies across all industries including healthcare, manufacturing, oil & gas, international defense, other governmental agencies (OGA) and cyber threat intelligence.

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Given that the overwhelming number of cyber attacks begin with email, what should you be doing to protect end-users? Listen and learn from this one-on-one interview with Jeremy Ventura and you will benefit from his expertise, as he shares his thoughts about best practices and how to protect YOUR organization from phishing attacks.



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Thank SO much to the cybersecurity Community for your amazing support of our mission! If YOU would like to support and sponsor our LinkedIn LIVE show that thus far, averages over 500 views, please message me. Thanks! Gary.

Anne Neuberger National Institute of Standards and Technology (NIST) MITRE
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- 362 Risk Mgt execs

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Charlie Tupltza • 3rd •
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 Thank you for enabling critical thinking Gary Berman I'm excited to be part of your Live event today at 2:30.

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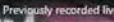

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1:57 / 57:52

Bob Turner - Fortinet, Inc.
1x


"Crowdsourcing Cybersecurity Education" Empowering Children.

Event by Gary Berman

Thu, Dec 9, 2021, 8:00 AM (your local time)


17 attendees

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About

Join our esteemed panel of thought leaders at the nexus of cybersecurity and education as they unpack the challenges and opportunities confronting our students, teachers, administrators, government and others as they share their experience in empowering children to pursue careers in cybersecurity and as they discuss how to protect the places where they are learning!


Speakers




Bob Turner · 3rd
InfoSec Executive | Education CISO
(Leader | Team Builder | Advisor)
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Gary Berman · 2nd
Host of The "CyberHero Adventures Show" at...
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Gary Berman · 2nd
Host of The "CyberHero Adventures Show" at cyberheroes.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

Join Bob Turner, Field CISO, Education, Fortinet | Mike Saylor, CEO, Blackswan Cybersecurity | Tyson Johnson, CEO, CyberNB and Victor Maloy, Project Xander as they unpack the challenges and opportunities raising cybersecurity awareness among parents, students, teachers, administrators and government facing our educational ecosystems ...see more

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Creator of The Cyberheroes Adventures: Defenders of the Digital Universe

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Thanks to a REAL-LIFE Defender of the Digital Universe, Evgeniy Kharlam, VP, Cybersecurity Solution Architecture at Marjavec Group for believing in our mission. Please watch the video!

Jen EasterlyJen Holtfluwer Anne Neuberger Roger Grimes Perry Carpenter Winn Schwartz Lynn Mattice Admiral James Stavridis Ron Craig Davina Pruitt-Mentle, Ph.D. Samuel Visser Sabra Horne Tom Brennan Joe (Joseph) Rosenbaum Marc R. Sofia C. National Council of ISACs U.S. Department of State U.S. Department of Homeland Security Christopher Krebs Jeff Shaffer Terry McGrawPeder JungckBob Schiff Bob Dix Jack Daniel Scott Schober Scott Algieri Alexandre BLANC Cyber Security Valerie Berman Herbert Rottblat Marlene AllisonRick Lemieux Steven CockcroftVogev Hatuka Ronen Edri Refael Franco Ken Muir Al Bermanianlan MurphyArtificialIntelligence ArtificialIntelligenceTechnology ArtificialIntelligenceMarketing #cybersecurity

<https://lnkd.in/d/rTAGYR>

Evgeniy Kharlam • 3rd+
VP, Cybersecurity Solution Architecture at Marjavec Group | Pod...

Everyone loves superheroes! Gary Berman decided to create a network for #cybersecurity heroes! They also host their first ThinkTank on June 17 and you are welcome to join. Here the link to the event and more details about Gary and his amazing work in the interview.

<https://lnkd.in/gBhm38Z>

#security #network #cyber #infosec

Reactions

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Bob Schiff • 3rd+
Founder & CEO of CyberLink, Combating cybercrime & information...
Excellent interview Gary Berman. It's nice to see YOU getting interviewed.

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Scott Schober • 2nd
CEO of Berkeley Electronics Systems / Cybersecurity Speaker
Nice job Gary Berman... Look forward to the June 17th event

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Kim K. • 3rd+
I want to build an empire, not a sandcastle. I cannot build it alone, not...
Great job Gary!

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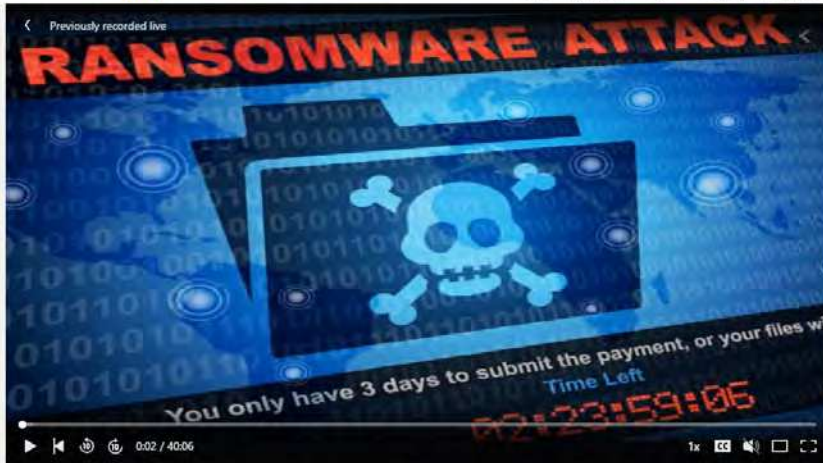
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BREAKING NEWS: FBI ROCKS! Colonial Pipeline Ransomware Cryptocurrency Recovered!



16 + 3 comments



Gary Berman • 2nd

Host of The "Cyberheroes Adventures Show" at cyberheroesadventures.com. Creator of The Cyberheroes Adventures: Defenders of the Digital Universe.

Yesterday, the FBI announced that the newly established task force focusing on the ransomware attacks that have been SO disruptive has had a major WIN. Join the Show to say a big THANK YOU to our great law enforcement professionals. Some good news at last!!!

Jen Easterly Anne Neuberg Roger Grimes Perry Carpenter Winn Schwarlau Faye Francy Lynn Mattico Admiral James Stavridis Alexander White (Way/Us/Our) Ron Craig Carlos P. Kizwe Davina Pruitt-Mentle, Ph.D. Samuel Vinner Sabra Home 🇺🇸 🇺🇸 🇺🇸 🇺🇸 Tom Brennan Joe (Joseph) Rosenbaum Marc B. Sofia C. National Council of ISACs @U.S. Department of State Jeff Shaffer Terry McGraw Peder Jungck Bob Schiff Bob Div Jack Daniel Chris Roberts Scott Algerier Scott Schober Alexandre BLANC Cyber Security Valerie Berman Herbert Rolitlat Marene Allison Rick Lemieux Yogev Hakuka #cisos #FBI #homelandsecurity #dhs #ransomware #ransomwareattacks #ransomware payment #cryptocurrency #bitcoin #bitcoinnews #linkedinnews

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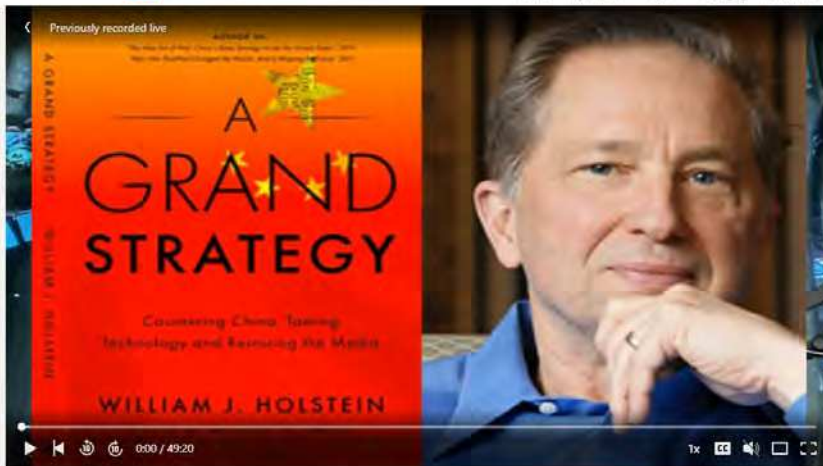
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Five Eyes/China & Criminal's: White House Cybersecurity Announcement Unpacked!



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Gary Berman • 2nd

Host of The "CyberHero Adventures Show" at cyberheroadventures.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe
5mo • Edited •

President Xi Jinping and President Biden had an extended discussion last night regarding a wide-range of issues, while just days before, a Chinese hacker was identified as being behind yet ANOTHER supply chain cyber attack. Join Bill Holstein, Author of "A Grand Strategy-Countering China, Taming Technology and Restoring the Media" as we unpack our complicated cybersecurity relationship with China!

Admiral James Stavridis Chris Nissen Brig Gen, USAF Sean Plankey Elizabeth Cory Jimenez David A. Cotton, Brigadier General, USAF (Ret) Keith Heather McMahon Dylan "The Magician" Baklor U.S. Army Cyber Command National Institute of Standards and Technology (NIST) Kevin Burke George Kamide Kristina Tanasichuk Dan Chmielewski Military Cyber Professionals Association Journal of Law & Cyber Warfare Paul Becker Tyson Meadows Cyber Security Forum Initiative Cyber Crucible, Inc. U.S. Cyber Command

Anne Neuberger Jen Easterly Erin Buechel Wicczorek Phyllis H. Shahid Shah Tina Gravel Bob Turner Robert Ungemach Tyler Cohen Wood CISP Max Justice Ed Gaudet Chuck Brooks Matt Desch Davina Pruitt-Mentle, Ph.D. Samuel Visser Dan Brunner U.S. Department of Homeland Security The White House

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Creator of The Cyber Hero Adventures: Defenders of the Digital Universe

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Host of The "Cyber Hero Adventures Show" at cyberheroshow.com, Cyber...

Thank SO much to Michael Garric, Technical Advisor to the National Security Commission on Artificial Intelligence, Dale Atanda, CEO, metaMa, Marc Raphael CEO, Supremely and our "Rapid Responders" Scott Schober, Berkeley Veritronics Systems and Josh Jackson, Global Head of Government & Public Services, EdLoka for the AMAZING discussion delving into the FUTURE of EVERYTHING!

Watch The Cyber Hero Adventures Show here...

Final Report

National Security Commission on Artificial Intelligence

LIVE DISCUSSION re: The National Security Commission on Artificial Intelligence
yavutipe.com

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Scott Schober • 2nd
CEO of Berkeley Veritronics Systems / Cybersecurity Specialist
Gary Berman well organized discussion on Artificial Intelligence -thank you I great to be part of this important conversation

Kristen Kehrer • 2nd
Associate - Data Model Mgr (LinkedIn Top Voice 2018) - Data Science & AI
I haven't watched much on this topic before, thanks for sharing and making it so fun!

Max Justice • 2nd
Cyber Farmer
Sowing virus-resistant seeds of security 🌱 USMC...
Thanks for sharing Gary, I know what I'm watching tomorrow during my workout. Have a great day!

JD DeJesus • 2nd
CyberSecurity and Information Technology IT Instructor / CompTIA Ce...
Gary, really enjoyed the video. Kudos!

Herbert Roitblat • 2nd
Principal Data Scientist at VMware
Thanks, Gary. Really worthwhile session!

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"Media & Cybersecurity" Leading media experts unpack the landscape.

Event by Gary Berman

Mon, Nov 1, 2021, 9:00 AM (your local time)

1 attendee

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Learn and learn from some GREAT media experts who shine the light on the challenges and opportunities within the cybersecurity digital universe!

Lily Hay Newman Hey-Newman, Wired.

Kate Fazzini, CEO, Fiore Albo and former CNBC & Wall Street Journal

Avrohom Gottheil, Tech Influencer

Tyler Cohen Wood CISSP Cohen Wood, CEO My Connected Life

Dan Chmielewski, Principal, Madison Alexander P.R.

Kim K., Founder, Empire of We

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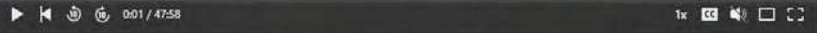
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Algorithms Are Not Enough
Creating General Artificial Intelligence
Herbert L. Roitblat



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Gary Berman • 2nd

Host of The "Cyberhera Adventures Show" at cyberhera.com. Creator of The Cyberhera Adventures: Defenders of the Digital Universe

We are HONORED to listen and learn from [Herbert Roitblat](#) as he unpacks the complexity of the role of artificial intelligence in the Digital Universe. Since the inception of A.I., we have been warned about the imminent arrival of computational systems that can replicate human thought processes. Tune in LIVE!

12



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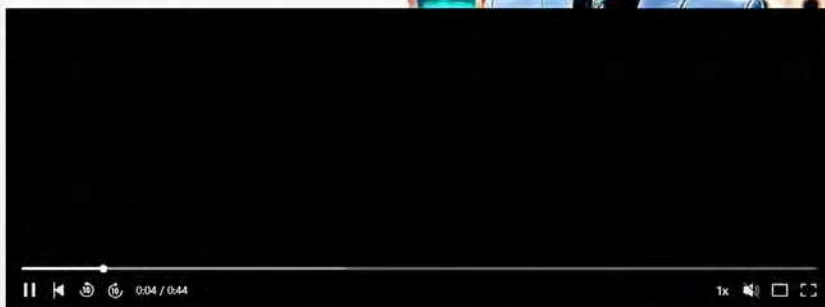
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The Cyber Hero Network: "Micro Minute" Series! Cybersecurity & Healthcare



Cyber Hero Network (CHN): "Micro Minute--Cybersecurity & Healthcare"

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Gary Berman · 2nd

Host of The "CyberHero Adventures Show" at cyberheroscomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

Terry McGraw, Senior Executive Consultant, Secureworks and Rick Lemerus, Co-Founder & Chief Product Officer, ISM Solutions & NISTCSF Solutions share a quick, but IMPORTANT thought from our Micro Think Tank Series.


5



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Gary Berman
 Host of The "CyberHero Adventures Show" at cyberheronetwork.com
 Creator of The CyberHero Adventures: Defenders of the Digital Universe
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Gary Berman • 2nd
 Host of The "CyberHero Adventures Show" at cyberheronetwork.com

Calling the PRIST 100 unsung cyber heroes to participate in the LIVE launch of our "Micro Think Tank" Series beginning on Thursday, June 17th, from 10:00am-2:00pm EST. To learn more, please watch the video briefing below.

As part of our continuing mission to support the Community and thanks to the support of our Founding Defenders of the Digital Universe Sponsors, you can register at NO cost here:

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Jen Exterly Anne Neuburger Roger Grimes Perry Carpenter Winn Schvartzau Faye Francy Lynn Mattice Admiral James Starvidis Ron Craig Carlos P. Kizwe Davina Pruitt Mende Ph.D. Samuel Visner Sabra Horne Tom Brennan Joe (Joseph) Rosenbaum Marc B. Sofia C. National Council of ISACs U.S. Department of State U.S. Department of Homeland Security Jeff Shaffer Terry McGrawPeder JungckMaria McGroger Bob Schiff Bob Dix Jack Daniel Chris Roberts Scott Algier Scott Schober Alexandre BLANC Cyber Security Valerie Berman Hinbert Roitblatt Marene AllisonRick LemieuxStevens Cockcroft MSc Yogev Hatukalan MurphyJosh JacksonMichael Garms

#cybersecurity #ArtificialIntelligence

<https://lnkd.in/dZ6k8f8>

Register for June 17th Micro Think Tank event at:
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Gary Berman
 Host
 The Cyber Hero Adventures Show

Scott Schober
 Cyber Author, Expert & CEO
 Berkeley Varitronics Systems

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
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Micro Think Tank: Cybersecurity & A.I. "Peder Jungck, VP/GM Intelligence Solutions at BAE Systems, Inc. & President, IT-ISAC"

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Gary Berman · 2nd

Host of The "CyberHero Adventures Show" at cyberherocomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

Listen and learn from global thought leaders such as Peder Jungck about the nexus between cybersecurity & Artificial Intelligence as part of The Cyber Hero Network Micro Think Tank Series!

6 · 2 comments



Add a comment...



LinkedIn interface showing a video player and post content.

Video Player:

- Search bar: Search for jobs, people, posts...
- Navigation icons: Home, My Network, Jobs, Messaging, Notifications, Me, Work, Network Smarter, Try Premium Free.
- Video title: **Threats to the 2020 US Federal Elections**
- Video content: NATIONAL INTELLIGENCE COUNCIL INTELLIGENCE COMMUNITY ASSESSMENT
- Video duration: 001 / 39:30
- Video ID: ICA 2020-00078D

Post Content:

National Intelligence Council: "Foreign Threats to the 2020 U.S. Federal Elections" Report

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Gary Berman • 2nd
Host of The "Cyberheroes Adventures Show" at cyberheros.com. Creator of The Cyberhero Adventures: Defenders of the Digital Universe

On Tuesday, the National Intelligence Council released a declassified Intelligence Community Assessment detailing significant efforts by Nation States to spread misinformation and disinformation regarding the 2020 election. Join our "Rapid Responder" thought leaders as they unpack the report.

Comments section: Add a comment...

Previously recorded live



Nat'l Cybersecurity Career Awareness Week 10/18-23 cyberheroescomics.com

Event by Gary Berman

Mon, Oct 18, 2021, 8:00 AM (your local time)

4 attendees

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Posted by



Gary Berman · 2nd

Host of The "CyberHero Adventures Show" at cyberheroescomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

There are currently over 500,000 job openings within the U.S. cybersecurity Community! Listen and learn from Davina Pruitt-Mentle, Ph.D. Lead for Academic Engagement at the National Initiative for Cybersecurity Education at NIST. Bob Turner, Field CISO Higher Education at Fortinet and Rich Guerry, Founder of IROC2.org as they share best practices...see more

3

Comments



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The Cyber Hero Adventures Show: "Let's Talk About Ransomware".

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10 • 4 comments

Gary Berman • 2nd

Host of The "Cyberhero Adventures Show" at cyberheroes.com. Creator of The Cyberhero Adventures: Defenders of the Digital Universe.

Wilbur Wannacy represents the nation states and criminals who are preying on victims large and small on a DAILY basis. Join our Defenders of the Digital Universe as we unpack the challenges and opportunities regarding ransomware...LIVE!

10 • 4 comments



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Comments

Rapid Responder Show: CISA Announces "Whole of Nation" Joint Cyber Defense Collaborative (JCDC)!



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18 • 7 comments



Gary Berman • 2nd

Host of The "CyberHero Adventures Show" at cyberheroescomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe

The Joint Cyber Defense Collaborative (JCDC) will lead the development of the Nation's cyber defense plans, which outline activities to prevent and reduce the impacts of cyber intrusions. Leveraging new authorities provided by the National Defense Authorization Act (NDAA) of 2021, the JCDC will bring together public and private sector entities to unify deliberate and crisis action planning while coordinating the integrated execution of these plans. The plans will promote national resilience by coordinating actions to identify, protect against, detect, and respond to malicious cyber activity targeting U.S. critical infrastructure or national interests.

According to CISA Director, Jan Easterly, "The industry partners that have agreed to work side-by-side with CISA and our interagency teammates share the same commitment to defending our country's national critical functions from cyber intrusions, and the imagination to spark new solutions." Tune in to learn more!

...and lots

18 • 7 comments



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Gary Berman

Host of The "CyberHeroes Adventures Show" at cyberheroesadventures.com
Creator of The CyberHeroes Adventures: Defenders of the Digital Universe

[View full profile](#)

Gary Berman • 2nd

Host of The "CyberHeroes Adventures Show" at cyberheroesadventures.com · 11mo • Edited •

Samuel Visner Visner, Technical Fellow MITRE was AMAZING. Here is real-life stories about Defending the Digital Universe below!

#cyberheroesadventures.com

Anne Neuberger Sabra Horne Ron Craig Ron Gula Ronen Edri Yosef Natuka Khaled Fattal Kim Hakim Alexander White (We/Us/Our)Dimitria Gavri Naina Saati Lawrence Abrams Alissa Valentina Knight Noah Melgar Terry McGraw Marc Dupuis PhD Davina Pruitt-Mentle, Ph.D.Faye Francy@Kevin Mitnick Perry Carpenter Yehudah Sunshine
<https://lnkd.in/gDkXq59m>

Gary Berman • 2nd

Host of The "CyberHeroes Adventures Show" at cyberheroesadventures.com · 11mo •

NASA, Satellites, GPS, Space Force, Space-ISAC, Mandalorian, What's UP? Listen and learn from Technical Fellow Samuel Visner, a global thought leader in national security and cybersecurity with a distinguished career enhancing the security of our nation across industry, academia, and government.

Previously live

0:03 / 46:58

comment

Reactions

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Most relevant

Ron Craig (Ha/Him) • 3rd •

Software Development Manager | Software Engineer | CyberSecurity (F...

This was an amazing show! I had such a great time with Sam and Al. Space is a huge passion of mine so I was like a kid in a candy store on this episode!!!

Like Reply

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Join The Cyber Hero Adventures Show and our SPECIAL, one-on-one discussion with one of the thought leaders and pioneers of Industrial Control Systems and the Founder of S4 Events, Dale Peterson!

0:01 / 29:34

1x

Unpacking Industrial Control Systems: Dale Peterson, Founder S4 Events


Event by Gary Berman

Tue, Dec 14, 2021, 11:00 AM (your local time)

1 attendee

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Posted by

 **Gary Berman** · 2nd
Host of The CyberHero Adventures Show at cyberheroes.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe.
20 · Edited ·

The cybersecurity Community is well aware of the constant attacks from criminals and nation states targeting CISA's Critical Infrastructure Sector. Dale Peterson is considered one of the leading experts in the field and he shares some amazing challenges and opportunities facing the Community.
...see more

7 · 3 comments

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Comments

Gary Berman's LinkedIn LIVE: The U.S. Capital--Cybersecurity Risks



31 • 7 comments



Gary Berman • 2nd

Host of The "Cyberheroes Adventures Show" at cyberherosadventures.com. Creator of The Cyberheroes Adventures: Defenders of the Digital Universe
Type • Edited •

Given the recent events at the U.S. Capitol including the ransacking of countless offices, stolen laptops, unsecured computers and the possibility of the insertion of malware via usb devices and a host of repercussions, what could POSSIBLY go wrong? Our guest, John Piper has a 20 year career in the President's Protection Division of the U.S. Secret Service as manager of the Forensic Sciences Division and Technical Security Division. Don't miss this Show!

Anne Neuberger Alexandre BLANC Cyber Security Ron Craig Ron Gula Phil Bove Marc Dupuis PhD Emily Donahue Scott T Nichols, HCISPP, CHPSE, MCP Scott Algeier Peder Jungck Jeff Shaffer Landon Shimmel @Ester Rabinovici Valerie Berman Al Berman Ilana Berman

...see less

31 • 7 comments



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Out of sight shouldn't mean out of mind.

Key findings from
the Verizon Mobile
Security Index 2021



BREAKING NEWS...LIVE Stay Tuned: "Verizon Mobile Security Index" COVID-19 unearths new cyber threats for businesses!.



Gary Berman • 2nd
Host of The "CyberHero Adventures Show" at cyberheroes.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe.

Join us as Dave Grady, Manager, Security Marketing & Chief Security Evangelist at Verizon unpacks the 2021 Mobile Security Index. Dave will provide actionable insight into the unique challenges of securing mobile devices, which have moved beyond being peripheral devices and have become central to the running of organizations and their operations. The report synthesizes data from more than a dozen partners, including Lookout, Wandera and IBM, and analyses responses from a survey of close to 900 security and IT leaders worldwide. The report sheds light on the 4 attack vectors for mobile - users, apps, devices and the network - and offers recommendations on the capabilities you need to enhance mobile security. The actionable recommendations are mapped to to NIST - ID, protect, detect, response, recover and more! ...See less

11 • 1 comment

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Comments

Veterans & Cybersecurity: The Perfect Force Multiplier!

Event by Gary Berman

Thu, Nov 11, 2021, 12:00 PM (your local time)

1 attendee

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13 • 8 comments

Posted by



Gary Berman • 2nd

Host of The "CyberHero Adventures Show" at cyberheroescomics.com. Creator of The CyberHero Adventures: Defenders of the Digital Universe
Time • Edited •

Thank you to the real-life unsung heroes AND their families who serve to protect and defend America! Join Robert Ungemach, Cybersecurity Sales Engineer, Appgate, Tyler Cohen-Wood, Host, My Connected Life, Ed Gaudet, CEO, Censinet and Max Justice, NASA SENSE Security, SME, Abile Group as they share the challenges and opportunities regarding veterans and cybersecurity careers!

Anne Neuburger @Jen Easterly Erin Buechel Wiczorek Phyllis H. @Shahid Shah Tina Gravel Bob Turner Robert Ungemach Tyler Cohen Wood CISSP Max Justice Ed Gaudet Admiral James Stavridis Chuck Brooks Matt Desch Davina Pruitt-Mentle, Ph.D. Samuel Visner Dan Brunner National Security Agency National Institute of Standards and Technology (NIST) National Council of ISACs Federal Bureau of Investigation (FBI) U.S. Department of Homeland Security The White House Dr. Chase Cunningham Scott Schober Bob Schillf Sean Higgins Ron Craig Janine Medina Reese Zomar Natasha Bishop, MBA

#infosec #security #cybersecurity #cybersecurityawareness #cyberattack #ransomwareattack #ransomwareprotection #criticalinfrastructure #CISA #NICE #NIST #veteransday #cybersecuritytraining

...see less

13 • 8 comments



Tyler Cohen Wood CISSP

00:01

Keynote Speaker | Talk Show Host, My Connect...

Thank you Gary Berman for having me as a guest, and thank you to all who have served!

2 Likes | Reply



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Watch Matt Desch, CEO of Iridium "Securing Space"...We hope this helps!





"com-ics (kom'iks)n. Juxtaposed pictorial and other images in deliberate sequence, intended to convey information and/or to produce an aesthetic response in the viewer".
Scott McCloud.

Check out our PILOT voice over comic narrated by Anthony Martini from CISA who brings real-life stories of cybercrime and the unsung cyber heroes who toil in anonymity to keep us safe online to LIFE...



Internet of Things aka "IoT" (Yay)



Our award-winning EDITORIAL CONTENT is based upon the Department of Homeland Security Critical Infrastructure Sectors!



Mission

App. 040

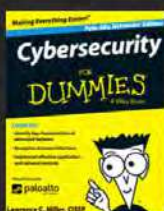


Gary Berman is the CEO of the Cyberman Security, LLC and the Creator of *The Cyber Hero Adventures: Defenders of the Digital Universe* comic platform. He often refers to himself as the "Forrest Gump" of cybersecurity, given that his 25-year career has been focused on thought leadership in marketing communications and segmentation - not infosec or cybersecurity for many of the world's leading consumer brands.

Why cybersecurity?

Gary's company was the target of serial insider attacks- he lost everything and had the painful experience of closing the company and laying off wonderful team members. Unable to receive justice due to the difficulty of proving attribution, he pivoted from being a victim to becoming an advocate. His mission became helping others from suffering the same life-altering consequences of being hacked. Given that he knew

very little about technology in general and cybersecurity in particular, he decided to start learning the fundamentals. He went to the book that promised to do the job: "Cybersecurity for Dummies".



After reading only 10 pages, Gary was lost! Rather than giving up, he was now on a mission. He spoke to a senior executive from the company that published the book and told him what happened. The executive started to laugh so hard that it sounded like tears were coming from his eyes! Gary is a really funny guy, so he joined in the laughter.

He wanted to know why the executive was laughing. "It's not really for beginners!" Gary put on his marketing hat and said, "Then why do you call it 'Cybersecurity for Dummies?'" That's when it hit him that there had to be another way to distill complicated technology information into a communications platform, not just for the cybersecurity community, but for all businesses, governments, educators, law enforcement, the military and non-profits.

How does a 59-year-old learn about cybersecurity? CONFERENCES! There are so many within the cybersecurity community, and they are packed with great speakers, vendors and clients. So, he went to every conference that he could afford. He listened and learned from the smartest people in the digital universe, first as an attendee, then as a cybersecurity reporter for cyberdefensemagazine.com. At the Consumer Electronics Show, the title on his badge read "Industry Analyst!"



Gary created an Advisory Board of thought leaders within the cybersecurity community, including Tom Brennan, founder of Proactive Risk. Tom and others provided much-needed direction and inspiration.

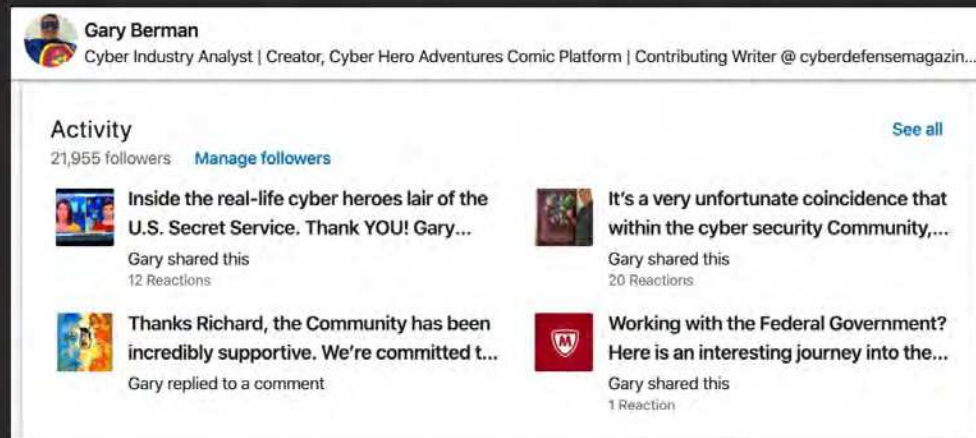
Now that the mission was clear - to distill complicated cybersecurity concepts into a more compelling communications approach - he sought out support from the cybersecurity community on LinkedIn. When he began, he had fewer than 10 connections. One at a time, every day, for almost six months, he invited Chief Security Officers (CSOs), Chief Information Security Officers (CISOs), Chief Executive Officers (CEO's), Chief Technology Officers (CTOs), Chief Marketing Officers (CMOs) and leaders from the Department of Defense, law enforcement, academia and others to submit real-life, blinded stories of cybercrime in answer to three questions:

1. What happened?
2. What were the consequences, and,
3. What were the lessons learned?



The image shows a LinkedIn profile for Gary Berman. The header features a red banner with the text "THE CYBERHERO Adventures" in large yellow letters, and "Defenders of the Digital Universe" in smaller yellow letters below it. To the left of the text is a circular profile picture of Gary Berman wearing a blue superhero mask and a yellow and red cape. Below the banner, the name "Gary Berman" is followed by a LinkedIn icon. His bio reads: "Cyber Industry Analyst | Creator, Cyber Hero Adventures Comic Platform | Contributing Writer @ cyberdefensemagine.com". Below the bio, it says "Miami/Fort Lauderdale Area · 500+ connections · Contact info". To the right of the bio, there are two logos: "Cyberman Security, LLC" and "University of Florida". At the top right of the profile, there are buttons for "Add profile section" and "More...", and a pencil icon for editing.

The community really responded. As of March 2020, Gary has nearly **22,000 followers**, including some of the key players in the cybersecurity ecosystem. His number one take-away: The **ONLY** time that people hear about cybercrime or hacking is when black hats win! So he decided to shine the light on the "Unsung Heroes" - all of those who toil in anonymity to keep us safe at work, home and school.



The image shows the activity feed of Gary Berman's LinkedIn profile. At the top, it says "Activity" and "21,955 followers". Below this, there are three posts. The first post is titled "Inside the real-life cyber heroes lair of the U.S. Secret Service. Thank YOU! Gary..." and shows a photo of a person in a blue superhero costume. The second post is titled "Thanks Richard, the Community has been incredibly supportive. We're committed t..." and shows a photo of a person in a blue superhero costume. The third post is titled "Working with the Federal Government? Here is an interesting journey into the..." and shows a photo of a person in a blue superhero costume. Each post has a "Gary shared this" or "Gary replied to a comment" label and a reaction count.

What about comics?

One day, he saw Spiderman and that's when the idea to design comics emerged. The next step was to jump/fly/appear/swim (think Aquaman) into the world of comic creator, Stan Lee, the force behind Marvel Comics. Gary watched TOO many super hero movies, online videos depicting "The Marvel Way", research from Harvard on storytelling in super hero movies and attending comic conventions (comic cons). If you have never been to a comic con, check it out. It's a mind-blowing, highly-interactive experience that will unleash your inner-child!





Inspired by costume play a.k.a. "Cosplay", here is the FIRST appearance of "The Sidekick of the Year" Olivier Vallez and me in costume at the launch of a custom-created International Edition at a cybersecurity conference in the United Arab Emirates!



Conferences are a great place to unleash your inner child!



Valerie Berman

Gary describes Valerie as the "smart one" in their 33 year marriage. Valerie has a masters degree in curriculum development from Stanford University and a successful career in the educational ecosystem. She serves as

editorial advisor to the project.



Julio Alvarez

Julio leads our creative team. He brings over 20 years of experience in film & television, illustrations, including comics and full-animation. He has an incredible ability to deliver on our mission through engaging, entertaining and informative editions of *The CyberHero Adventures: Defenders of the Digital Universe* comics!



Special Agent "K"



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"Cybersecurity awareness is a critical component of any cyber resilience strategy. Appropriate cyber hygiene must become part of every health system's culture the same way they guard against the spread of germs and infections. The CyberHero Adventures series is an impactful and engaging tool to raise employee awareness and materially change behavior. The plotlines put cyber risk into context in ways that make it easy for people to understand their role in building resilience and see the consequences of their actions. This is a powerful employee engagement strategy and Aon is proud to be a sponsor".

Thomas E. Abel | Senior Vice President, Marketing & Business Development | Aon Cyber Solutions.

"As threat actors increase their attack frequency and complexity, all network security teams need to adapt their security infrastructure to maximize their effectiveness. Securing healthcare infrastructures is an extremely difficult challenge as the devices within the network are highly specialized, and The CyberHero Adventures series highlights this challenge in an impactful way."

Anthony James, Vice President of Product Marketing at Infoblox, Inc.

"It's an honor for ERI and our A.I. robots, SAM and ERNIE to be included in the 'Defending Your Health' edition of the Cyber Hero Adventures comic book," said **John Shegerian, Co-Founder and Executive Chairman of ERI**, the nation's leading fully integrated IT and electronics asset disposition provider and cybersecurity-focused hardware destruction company. "It's more important than ever that data is protected – in and out of the healthcare system. One area that does not get discussed enough is the hardware hacking of that private data from end-of-life devices and electronic waste, and the urgent need to destroy this data in a responsible manner while protecting the planet at the same time. Cyber Hero Adventures provides a unique and easy-to-understand approach to sharing that message and we are proud to be a part of it!"

Tom Brennan, United States Chairman, CREST International (<https://www.crest-approved.org>), agrees the series has an important role to play: "People, process, and technology can help protect what matters most. The CyberHero Adventures is an illustration of providing a light-hearted way to communicate the message that can be easily digested."

"Samsung is excited to partner with Cyberman Security and their CEO, Gary Berman, to support a new wave of technical-security training that creates true collaboration between the Cyber Heroes of the world. Storytelling is the best way to explain, and audiences to retain, the real issues facing corporations during the current digital transformation."

– Keith Fuentes
Vice President, Knox Sales, Samsung Electronics America, Inc.

"Cyberspace needs a hero! In fact, it needs a League of Heroes. If phrases like that stir something within you... and, let's face it, you know that they do, then you will immediately understand the value of this series. CyberHeroes: Defenders of the Digital Universe allows organizations to tap into the global infatuation with superheroes. It's time to suit-up, empower your organization and your family, and advocate for victims."

– Perry Carpenter
Chief Evangelist and Strategy Officer, KnowBe4.com

"The CyberHero Adventures: Defenders of the Digital Universe is truly a game-changer in the rapidly evolving cyber security ecosystem. Depicting the

on-going battle between White vs. Black Hats in a superhero world is incredibly educating, interesting, intelligent, intriguing, entertaining and engaging. This is a must-read for large enterprises, SME's, law enforcement, the military, academia, educators and family members who want to stay safe online."

– Dr. George Antoniou
Assistant Professor of Cyber Security Management, St. Thomas University

"I can't thank you enough for presenting your insights and tools to the Best Buddies staff today. Your personal story helped us see how cyber-invasion can happen to anyone at any level. This can be scary and tricky material, but your positive energy brought us out the other side."

"We're looking forward to collaborating with you in the future on the creation of a customized version of The CyberHero Adventures: Defenders of the Digital Universe to serve our community of people with and without special needs throughout the United States."

– Corey Yugler, Director
Training & Development, Best Buddies Global Headquarters

"Cyber security leads to cyber safety and as evolving technologies that connect the world continue to make their way into the hands of children, it is vital today's youth and families are armed with information to make them less vulnerable. Using super heroes and storylines that children can relate to creates a unique and edu-taining resource that can be used to creatively introduce and educate the next generation of digital citizens about the importance of understanding cyber security. Kudos to Gary Berman for developing and delivering such an important resource to families across our now global neighborhood."

– Richard Guerry, Founder
Institute of Responsible Online & Cellphone Communications, Iroc2.org

"People, Process, and Technology can help protect what matters most. Cyber Hero's is an illustration of providing a light-hearted and simple way to communicate the message that can be easily digested, great job!"

– Tom Brennan, CTO Proactive Risk

50

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The Cyber Hero Network

Next Gen. Cybersecurity & Artificial
Intelligence Media Platform

net·work/'net,wərk/verb: To drive revenue for cybersecurity & AI brands via our proprietary, multi-media platform. **noun:** Membership access to our network of 23k global cybersecurity & AI thought leaders.



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Our Origin Story



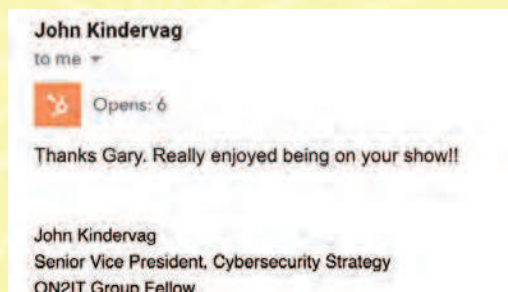
- CEO of successful marketing research firm.
- Hacked by insider via APT.
- Lost everything.
- Unable to receive justice.
- Pivot from victim to advocate.
- Founded Cyberman Security, LLC.
- Cyberheroescomics.com.
- The Cyber Hero Adventures Show.
- The Cyber Hero Network.

Our Mission

We drive revenue for cybersecurity & AI brands by leveraging our network of 23k global influencers via our proprietary multi-media platform.



Our differentiator = We are widely known as ADVOCATES and NOT as vendors.



We have a proven track record of being **Trustworthy** in an industry that is based on **Zero Trust**

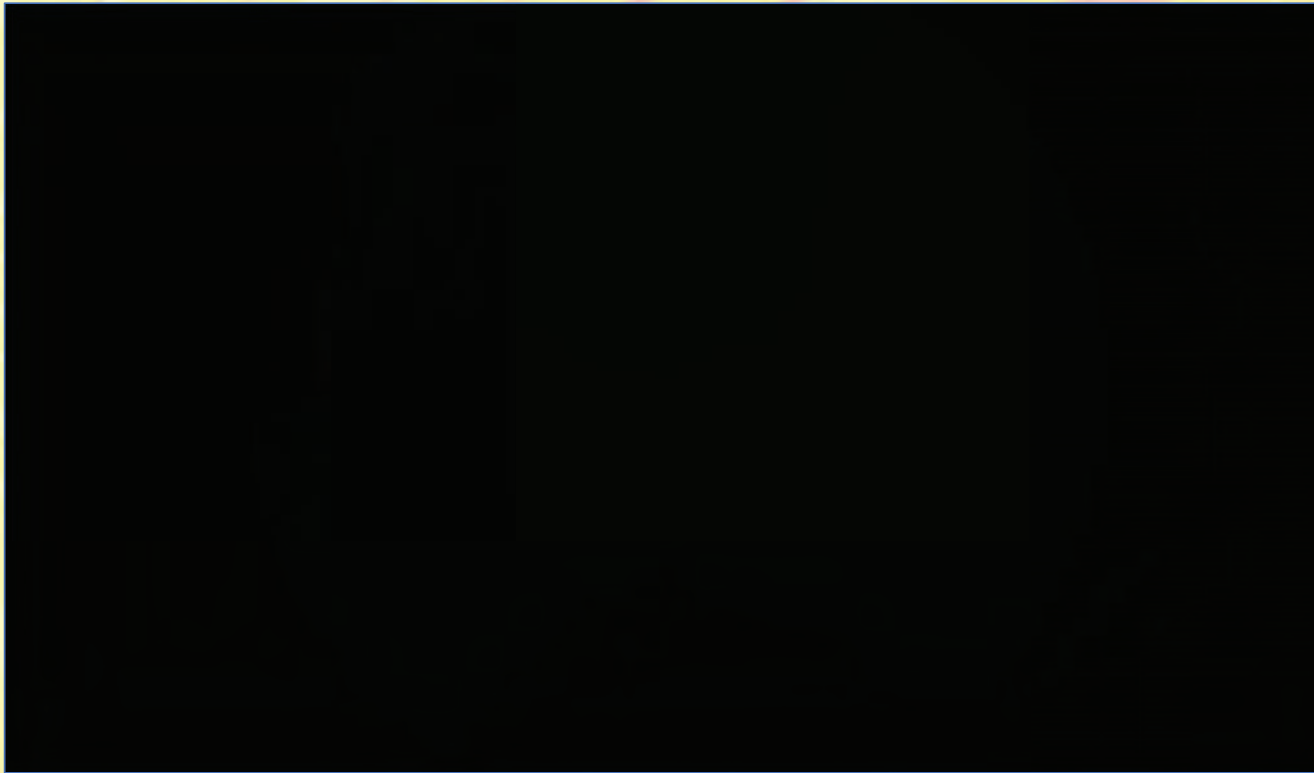
We incorporate **FUN** in a unique **professional** manner

We are on a **mission** to make an **impact** via **education & collaboration**, a mission that many can resonate with!





The Problem: Hackers are winning, Defenders are stressed out.





The Solution: We'll AMPLIFY YOUR STORY via The Cyber Hero Network Platform



100+ Shows | 300+ Thought Leaders



Micro Think Tanks



50+ Cybersecurity Conferences



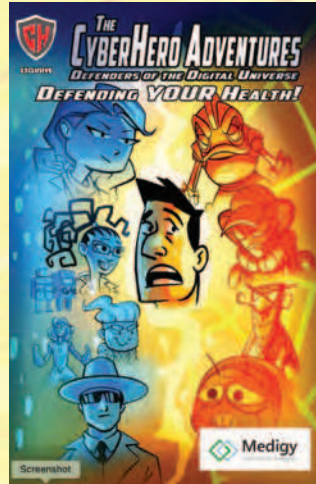
Animations



The Solution: We'll AMPLIFY YOUR STORY via The Cyber Hero Network Platform



2,412 Views
Shared Multi-Sponsored Comics



5,085 Views



1,072 Views
Bespoke Custom Comics



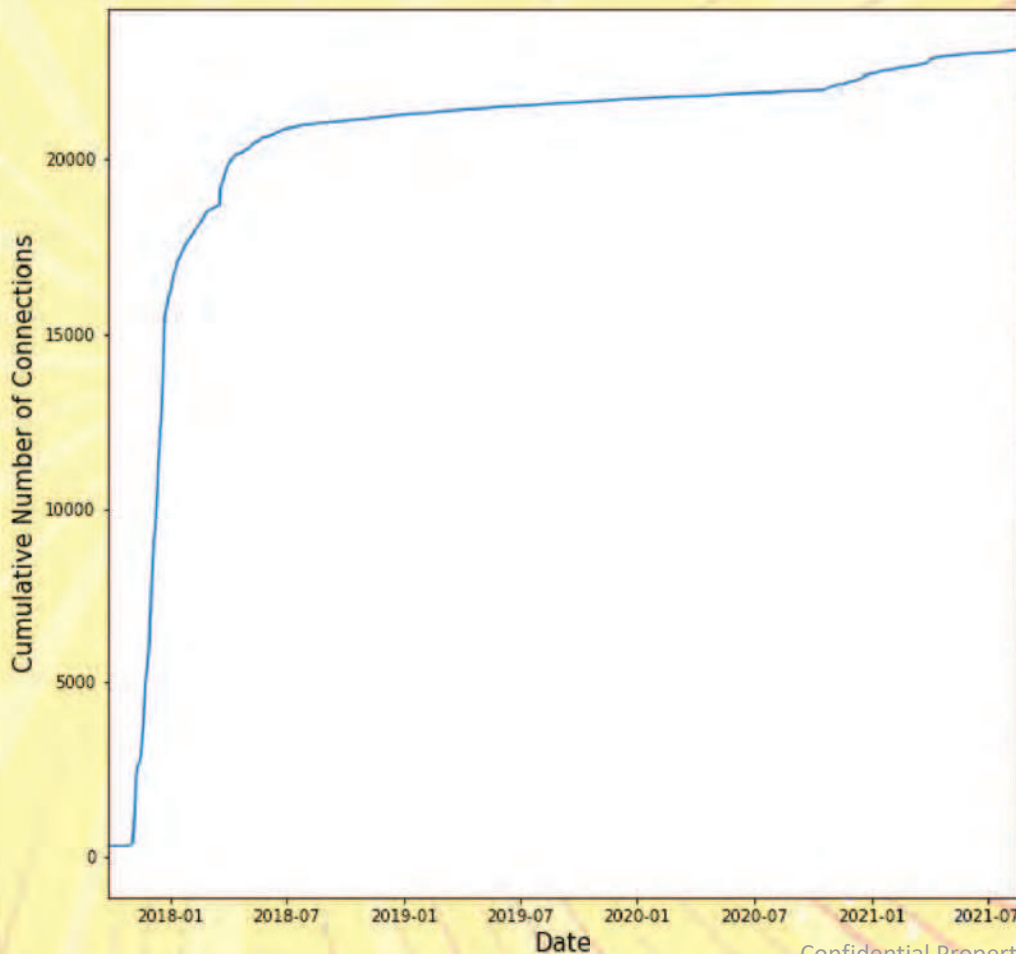
3,256 Views



Special Projects K-12



Who will see YOUR story? Our LinkedIn Audience



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 - 3,567 CTO's
 - 536 CISO's
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 - 5,065 InfoSec Execs
 - 10,374 IT Execs
 - 968 Cybersecurity Execs
 - 537 Risk Managers



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Tenable	4	Salesperson	18	New York City Metropolitan Area	14
Dragos, Inc.	4	Information Security Specialist	14	Greater Houston	8
Nozomi Networks	4	Founder	12	Atlanta Metropolitan Area	7
EY	4	Executive Director	11	London Area, United Kingdom	6
SCADAfence - The OT & IoT Cybersecurity Company	4	Technology Manager	10	San Francisco Bay Area	6
Capgemini	3	Information Technology Consultant	9	Greater Boston	5
Honeywell	3	Software Developer	8	Greater Chicago Area	4

The Cyber Hero Adventures: Defending YOUR Health

Vernon the Virus
It's a very unfortunate coincidence that within the cyber security community, words such as "cyber hygiene," "infection" and "virus" now have a real double meaning. Meet "Vernon the Virus," who will be one of the characters in our "Defending YOUR Health" series of comic strips to help people stay safe online and in the real world. Let's defeat the villain Gary Herman. Creator: cyberherocomics.com

Panel 1: Hi, I'm Larry Jones. You know my story from The Cyber Hero Adventures: Defenders of the Digital Universe. Whenever I work I wash my hands with warm soap and water and say HAPPY BIRTHDAY 2 times!

Panel 2: Sometimes, I work from home when I'm not in the Cyber Hero Adventure's lair! Let me check in with the Cyber Hero Adventure's team!

Panel 3: I'm Tara Right a.k.a. The Super Coder! I ALWAYS cover my mouth and nose when I cough. I think I'm getting a cold, so I'll just get it checked out by my doctor. It's important to practice personal hygiene AND cyber hygiene to avoid infections!

Panel 4: I'm Boris the Bug and I LOVE to infect computers, smart phones and Internet of Things! I'm from the Firewall Mole sure to set the Firewall at your router and connected devices to the highest possible settings that work for you!

Panel 5: Make sure that you change the username AND password on your HOME ROUTER! We're in for a tough battle in cyberspace AND the real world! www.staysafeonline.org

You and 21 others 4 comments


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1,020 views of your post in the feed

[illegible]




Network: Here is a small, random sample of cybersecurity & AI decision makers.




Ruby Zefo
Chief Privacy Officer and AGC Privacy & Cybersecurity at Uber
Connected 6 days ago

Message




Krishnan Chellakurai
CISO - Information Security, Risk & Compliance at Gilead Sciences
Connected 1 week ago

Message




Dan Warmenhoven
Director
Connected 1 week ago

Message




Max (LJ) Chan
Chief Information Officer, Avnet Inc.
Connected 1 week ago

Message




Korin Neff
Founder * CEO * Board Member * Attorney * Culture Curator
Connected 1 week ago

Message




Rhonda Germany Ballintyn
Board Director; Chair & President Family Foundation; Retired Chief Strategy & Marketing Officer Honeywell
Connected 1 week ago

Message




Arno Van Der Walt
CISO at Marriott International
Connected 1 week ago

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Damon McDougald
Global Digital Identity Lead at Accenture
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Ashish Saxena
Web Specialist at Digitalcode360
Connected 1 week ago

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Listening to people and data for a better tomorrow
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14.1K followers · Eli Fathi, Atul Jain, and 748 other shared connections

Message




Chase Dillon · 1st
Head of Social Commerce at TikTok
United States
2.8K followers · Souheil Badran, Paul Allen, and 175 other shared connections

Message



Eric Bergman · 1st
Incoming Investment Banking Associate at PJT Partners | MBA Candidate at Harvard Busi...
Stamford, CT
Rodger Desai, Mohamed Abdelsadek, and 77 other shared connections

Message



Silvano Girardi Jr · 1st
Chief Technology Officer
Miami, FL
Rich Gaski, Matt Bramson, and 17 other shared connections

Message

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The Opportunity

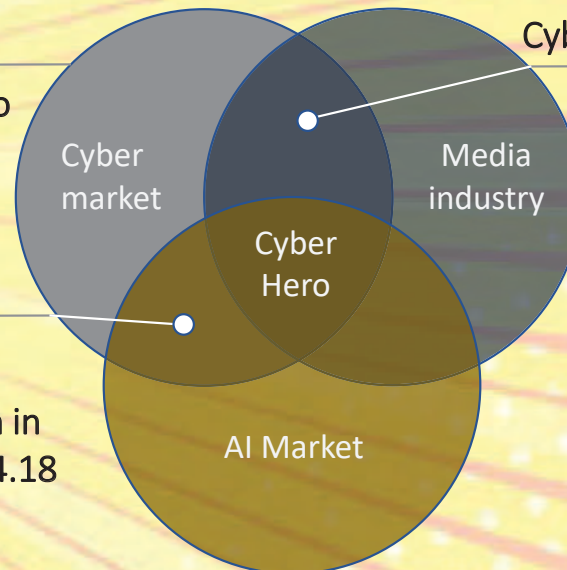
The Cyber Hero Network thrives at the intersection of Cybersecurity / AI / Media markets

Cybersecurity Industry

- Cyber awareness market - predicted to reach more than \$10B by 2027 (cybersecurityventures)

AI & Cyber

- The Artificial Intelligence in Security market was valued at USD 5.08 billion in 2020 and is expected to reach USD 14.18 billion by 2026, at a CAGR of 18.64% over the forecast period 2021 - 2026



- A green field market with handful of existing players.
- The digital media market in the US is expected to generate \$85.6 billion in 2021 and grow to \$117.4 billion by 2025 (statista)



How We Make Money

Recurring Revenue

- **Cyber Hero Network Annual Membership**
 - Three levels based upon company size:
 - Individual : \$250
 - SMB <10 people : \$2,500
 - Enterprise : \$25,000
- **Cyber Hero Adventures: Sponsorship Packages**
 - 12 Monthly CHA Shows : \$60,000 annually
 - 4 Quarterly Multi-Comics: \$20,000 annually
 - 4 Quarterly Think Tanks. : \$20,000 per event.



OT Revenue

- **Custom Bespoke Comics**
 - 24 pages, full-color. : \$50,000
 - 12 pages, full-color : \$35,000
 - 2 pages, full-color : \$10,000
- **Custom Bespoke Animations.** : \$100,000-\$200,000
- **Conferences & Special Events**
 - CHA Broadcast : \$10,000
 - Micro Think Tank : \$5,000-\$20,000
 - Keynote Speech : \$7,500
 - Comic Event Program : \$5000
 - Cyber Hero Book Club. : \$5,000
 - Autograph Signing : \$2,500
 - Television Show : \$500 per episode

Notable Partners:

FORTINET

AON



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Our USP: The IT Community LOVES Super Hero Comics & Movies

Breaking news...Spiderman: No Way Home breaks box office record of \$50 million!

THE ICv2-COMICHRON COMIC SALES REPORT 2020

NORTH AMERICAN COMIC SALES ACROSS TIME



COMIC-CON INTERNATIONAL: SAN DIEGO

COMIC-CON 2021 SPECIAL EDITION NOVEMBER 26-28 SAN DIEGO CONVENTION CENTER

ATTENDING THE SHOW GETTING HERE PROGRAMS AND GUESTS EXHIBIT HALL EXCLUSIVES PUBLICATIONS

Comic-Con Special Edition

COMIC-CON SPECIAL EDITION NOVEMBER 26-28, 2021

Our decision to hold an in-person event in 2021 was driven by several factors. Our primary hope was to finally be able to gather in person as a community, something we have not been able to do since 2019. Another was to try to determine how best to safely produce events in light of current health concerns with the least negative impact on attendees.

With current COVID-19 restrictions and guidelines, Comic-Con Special Edition is not intended to be the large gathering reflective of the summer event. Reduced in attendance, shorter in the number of days, and remarkably smaller in scope, this convention is meant to be a more intimate gather. Screenshots along the fun community feeling our conventions are known for.

Upcoming Superhero Movie Release Dates: From 2021 to 2023 and Beyond

From 'Venom 2' to 'Shang-Chi', peruse our overview of every superhero movie release date under the sun.

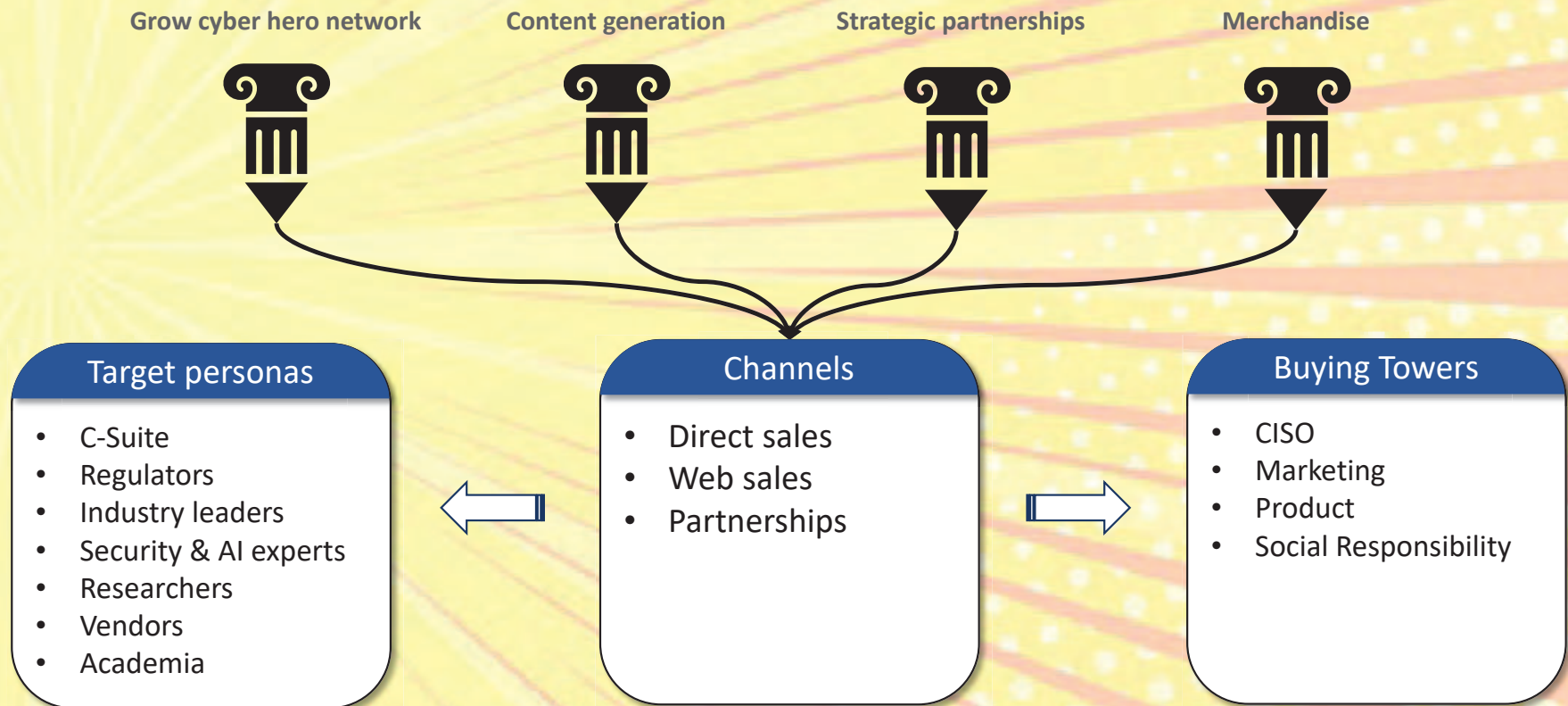
BY ADAM CHYTWOOD
UPDATED JUNE 11, 2021





Go To Market Strategy (Scaling up the mission)

Primary Growth Pillars:



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Advisory Board (partial listing)

When smart, mission-driven people get together...good things happen!



Scott Schoeber
CEO of Berkeley Varitronics
Systems / Cybersecurity Speaker



Herbert Roitblat
Former Principal Data
Scientist at Mimecast



Bob Turner
InfoSec Executive Fortinet
Education CISO



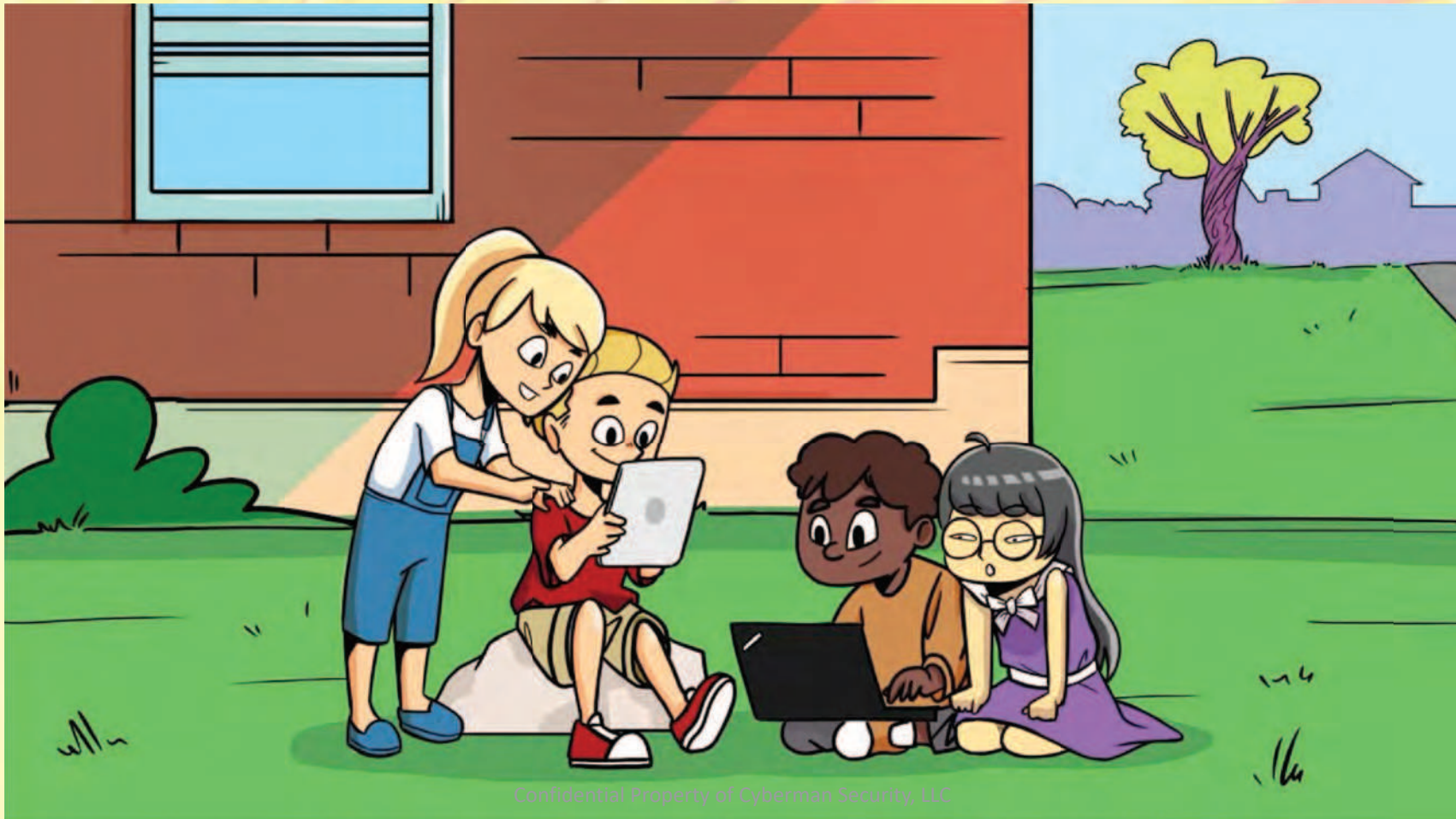
Tina Gravel
SVP Channels and
Alliances Appgate



Dan Brunner
CEO Novucyber



Keeping our children safe and inspiring the next gen of Defenders.



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Thank you!

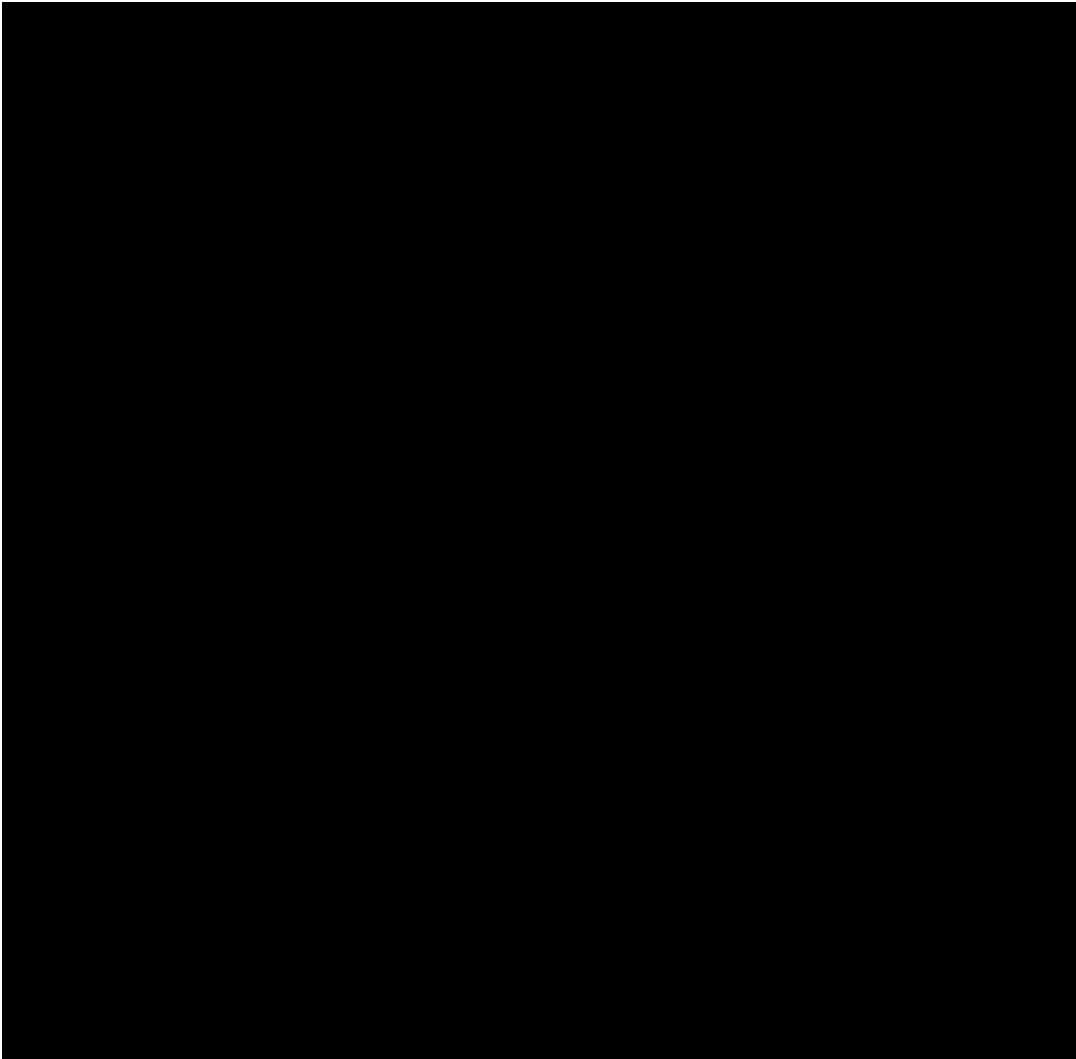
Gary Berman, CEO

gary@cyberheroescomics.com

786-858-2632

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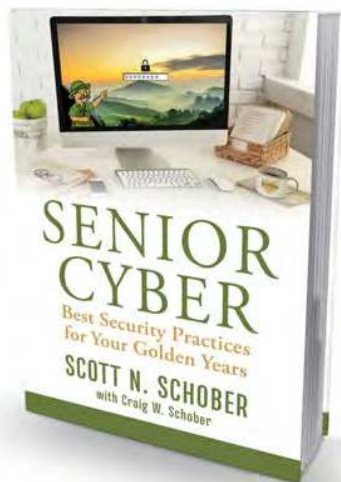


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 MADDOX - 4 DAYS 0 (HTTPS://FULLSYNC.CO.UK/CYBER-HERO-MISSION-RUNNER-FULL-RELEASE-
(HTTPS://FULLSYNC.CO.UK/AUTHOR/MADDOX/) AGO MARCH/#RESPOND)



Cyber Hero – Mission Runner (<https://discord.com/invite/44qtWre8Dh>) is a roguelike top-down vertical shooter in the cyberpunk genre. You play a hero and will encounter fast-paced actions and adventures in the game. Like bullet hell, you run through rooms and clear the enemies while avoiding being hit by their projectiles and attacks. Your goal: finish one room after another to reach the next mission.



For each mission, you unlock a bunch of cool features, skills and items to raise the power of your hero. Everything can be upgraded. Try out endless combinations and achieve absurd power levels.

IT'S BEEN AN AMAZING JOURNEY FOR US DEVELOPING "CYBER HERO - MISSION RUNNER", AND AFTER A SHORT TIME IN EARLY ACCESS, WE ARE NOW VERY EXCITED ABOUT BEING ABLE TO PRESENT THE FULL VERSION TO THE WHOLE WORLD.

Raphael Wittgruber, CEO of Since Idea Games
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Harvest Moon: One World is Available Now on Nintendo Switch
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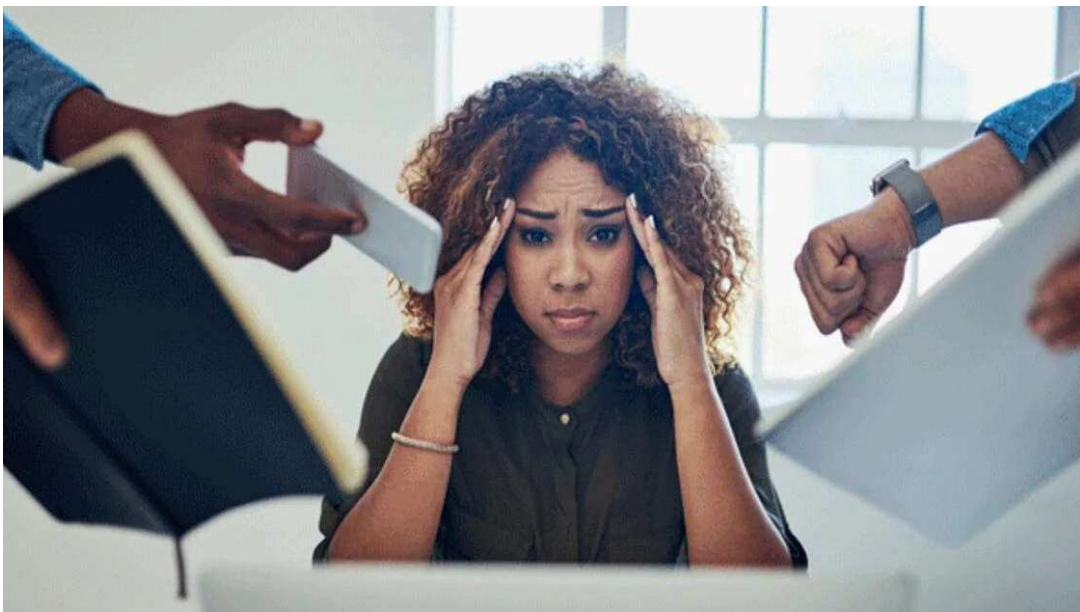
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Technically Speaking Leeds. Be part of the discussion on Friday, March 25th. at 1:00pm EST. Thanks! Gary <https://www.youtube.com/watch?v=kDBusWyFu6Q>



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Watch The Cyber Hero Adventures Show as we listen and learn about the Verizon Mobile Security Index 2021! Gary <https://www.youtube.com/watch?v=3SAfCVhczKk>

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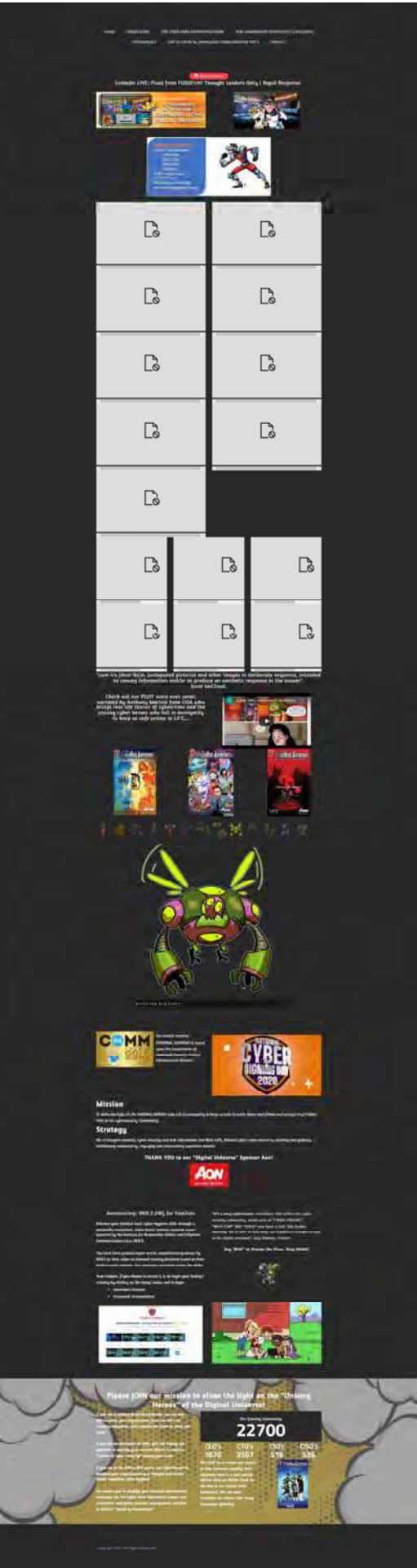
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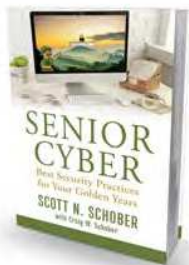
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MLowry@wlj.com

Meredith K. Lowry, AR Bar 2005232
WRIGHT LINDSEY & JENNINGS LLP
3333 Pinnacle Hills Pkwy. Ste. 510
Rogers, AR 72758

Attorney for Plaintiff in '427 and Defendant '845

/s/Tad Prizant

Tad Prizant